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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

□

In re: Marc J. Randazza,
Attorney at Law, Bar No. 12265

Case No. 2:19-cv-01765-MMD

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I. SUMMARY

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This is an attorney discipline matter. Before the Court is Marc J. Randazza's response to the Court's Order to Show Cause ("OSC") why he should not be suspended from practice before this Court following the Order Approving Conditional Guilty Plea Agreement filed by the Nevada Supreme Court ("NSC") on October 10, 2018. (ECF Nos. 1 (OSC), 3 (the "Response").) As further explained below, the Court will suspend Mr. Randazza from practice before this Court because this Court has neither the obligation, resources, nor inclination to monitor Mr. Randazza's compliance with the probationary conditions the NSC imposed on him. However, Mr. Randazza may file a petition for reinstatement once he has fully discharged those conditions and can produce a certificate of good standing from the NSC reflecting the same.

21

II. BACKGROUND

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Mr. Randazza was suspended by the NSC following his conditional guilty plea to a charge that he violated "RPC 1.8(a) (conflict of interest: current clients: specific rules) and RPC 5.6 (restrictions on right to practice)." (ECF No. 3 at 15.) While Mr. Randazza's suspension was stayed, he is currently subject to several probationary conditions imposed by the NSC. (*Id.* at 17.) Until at least April 10, 2020, Mr. Randazza must: (1) "stay out of trouble;" (2) successfully complete 20 hours of ethics CLE in addition to his normal CLE requirements; and (3) seek the advice of an independent and unaffiliated

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1 ethics attorney in each relevant jurisdiction before obtaining any conflicts of interest
2 waivers. (*Id.* at 3, 15, 17.)

3 This Court issued the OSC as to why Mr. Randazza should not be suspended from
4 practice in this Court on September 6, 2019. (ECF No. 1.) Mr. Randazza timely filed his
5 Response on October 3, 2019. (ECF No. 3.) In his Response, he argues that this Court
6 should allow him to continue practicing before it because he is still allowed to practice law
7 before the Nevada state courts, and he is currently complying with the probationary
8 conditions the NSC imposed on him. (*Id.* at 3-5.) He also argues that his suspension from
9 practice by this Court would either be gravely unjust, or his misconduct does not justify
10 suspension by this Court. (*Id.* at 3.) He further notes that other federal court have
11 continued to allow him to practice while he is subject to the NSC's probationary conditions.
12 (*Id.* at 5-6.)

13 **III. DISCUSSION**

14 This Court imposes reciprocal discipline on a member of its bar when that person
15 is suspended or otherwise disciplined by a state court unless it determines that the state's
16 disciplinary adjudication was improper. See *In re Kramer*, 282 F.3d 721, 724 (9th Cir.
17 2002). Specifically, the Court will only decline to impose reciprocal discipline if the
18 attorney subject to discipline presents clear and convincing evidence that:

19 (A) the procedure in the other jurisdiction was so lacking in notice or opportunity to
20 be heard as to constitute a deprivation of due process; (B) there was such an
21 infirmity of proof establishing the misconduct as to give rise to a clear conviction
22 that the court should not accept as final the other jurisdiction's conclusion(s) on
23 that subject; (C) imposition of like discipline would result in a grave injustice; or (D)
24 other substantial reasons justify not accepting the other jurisdiction's
25 conclusion(s).

26 LR IA 11-7(e)(3); see also *In re Kramer*, 282 F.3d at 724-25 (stating that the attorney
27 bears the burden by clear and convincing evidence).

28 The Court will suspend Mr. Randazza from practice before this Court because the
NSC's disciplinary adjudication regarding Mr. Randazza following his conditional guilty
plea appears to have been proper, and he presents no clear and convincing evidence to
the contrary. Procedurally, Mr. Randazza did not submit a certified copy of the entire

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1 record from the NSC or present any argument as to why less than the entire record will
2 suffice. See LR IA 11-7(e)(3). Substantively, while Mr. Randazza does appear to be
3 allowed to practice in the Nevada state courts, he is also subject to probationary
4 conditions that this Court has neither the obligation, resources, nor inclination to monitor.
5 (ECF No. 3 at 17.) And the Court sees no substantial reasons not to suspend Mr.
6 Randazza based on its review of the record. See LR IA 11-7(e)(3). The Court will therefore
7 suspend Mr. Randazza.

8 That said, Mr. Randazza is free to petition the Court for reinstatement under LR IA
9 11-7(i) assuming he is able to successfully complete his term of probation with the NSC.
10 Any petition for reinstatement should not be filed until Mr. Randazza has successfully
11 discharged each and every probationary condition imposed on him by the NSC, and he
12 is able to present both a certificate of good standing from the NSC and evidence sufficient
13 to establish that his practice in the Nevada state courts is fully unencumbered by any
14 probationary or other conditions stemming from his conditional guilty plea or any other
15 discipline imposed on him by the NSC.

16 **IV. CONCLUSION**

17 It is therefore ordered that Marc J. Randazza, Bar No. 12265, is hereby suspended
18 from practice in the United States District Court for the District of Nevada.

19 DATED THIS 22nd day of October 2019.

20
21 
22 MIRANDA M. DU
23 CHIEF UNITED STATES DISTRICT JUDGE
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Exhibit 17

Order of Reinstatement, U.S. District Court for the District of Nevada
(June 9, 2020)

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

6 In re: Marc J. Randazza,
Attorney at Law, Bar No. 12265

Case No. 2:19-cv-01765-MMD

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10 | I. SUMMARY

1 This is an attorney discipline matter. Before the Court is Marc Randazza's petition
2 for reinstatement (the "Petition").¹ (ECF No. 14.) As further explained below, the Court
3 will grant Mr. Randazza's Petition.

4 || II. BACKGROUND

5 Mr. Randazza was suspended by the Nevada Supreme Court ("NSC") following
6 his conditional guilty plea to a charge that he violated "RPC 1.8(a) (conflict of interest:
7 current clients: specific rules) and RPC 5.6 (restrictions on right to practice)." (ECF No. 3
8 at 15.)

Upon receiving notice of his suspension by the NSC, the Court issued an order to show cause why Mr. Randazza should not also be suspended by this Court. (ECF No. 1 ("OSC").) Mr. Randazza filed a response to the OSC, arguing he should not be suspended by this Court. (ECF No. 3.) The Court nonetheless suspended him because he remained subject to probationary conditions imposed by the NSC. (ECF No. 5 (the "Suspension Order").) Mr. Randazza then filed an emergency motion to alter or amend the Suspension Order (ECF No. 8), which the Court denied (ECF No. 12).²

26

¹Mr. Randazza also filed an emergency motion for a hearing on his Petition. (ECF No. 17.) Because the Court will grant the Petition, the Court will deny the emergency motion for a hearing as moot.

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1 The Petition followed.³ (ECF No. 14.) In his Petition, Mr. Randazza asks to be
2 reinstated primarily because he has successfully discharged the NSC's probationary
3 conditions. (*Id.* at 2.) In most pertinent part, he attached a letter from the State Bar of
4 Nevada confirming that he has successfully discharged the probationary conditions the
5 NSC imposed on him. (*Id.* at 16.) Mr. Randazza also submitted a declaration explaining
6 he has clients with cases in this district who would like him to represent them (*id.* at 11-
7 14), and some declarations from some of his clients explaining they would like Mr.
8 Randazza to represent them (*id.* at 19-26). Mr. Randazza previously submitted a current
9 certificate of good standing from the State Bar of Nevada. (ECF No. 10-3.)

10 **III. DISCUSSION**

11 Local Rule IA 11-7(i) states that an attorney who is the subject of an order of
12 suspension "may petition for reinstatement to practice before this court or for modification
13 of the order as may be supported by good cause and the interests of justice." LR IA 11-
14 7(i). The Rule further provides: "if the attorney was readmitted by the supervising court or
15 the discipline imposed by the supervising court was modified or satisfied, the petition must
16 explain the situation with specificity, including a description of any restrictions or
17 conditions imposed on readmission by the supervising court." *Id.* However, the decision
18 as to whether and under what circumstances the attorney will be reinstated to practice
19 before this Court is left to the discretion of the Chief Judge, or other reviewing Judge if
20 the Chief Judge refers the matter to another judge. See *id.*; see also LR IA 11-7(a).

21 The Court will grant the Petition because Mr. Randazza has sufficiently
22 demonstrated he successfully discharged the NSC's probationary conditions and is an
23 attorney in good standing with the State Bar of Nevada. (ECF Nos. 10-3, 14 at 16.)

24
25

²The Court issued this order on November 27, 2019, and received a certified mail
26 receipt indicating it was mailed to Mr. Randazza's counsel that same day. (ECF No. 13.)
27 However, both Mr. Randazza and his counsel claim they never received that order. (ECF
28 Nos. 15 (minute order explaining in response to a letter from Mr. Randazza's counsel
inquiring about a ruling on the emergency motion to alter or amend judgment that the
Court had already issued an order denying it on November 27, 2019), 17 at 4, 17-1 at 3.)

³Mr. Randazza followed up with a letter as well. (ECF No. 16.)

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1 Moreover, Mr. Randazza's Petition demonstrates understanding of the Court's prior
2 Suspension Order granting him leave to petition this Court for reinstatement once he
3 could show that he is able to practice in Nevada state courts unencumbered by any
4 probationary conditions. (ECF No. 5 at 3.) The Court thus finds that Mr. Randazza has
5 shown cause to be readmitted to the bar of this Court.

6 **IV. CONCLUSION**

7 It is therefore ordered that Mr. Randazza's renewed petition for reinstatement (ECF
8 No. 14) is granted.

9 It is further ordered that Mr. Randazza's emergency motion for a hearing (ECF No.
10 17) is denied as moot.

11 DATED THIS 9th day of June 2020.

12 
13 MIRANDA M. DU
14 CHIEF UNITED STATES DISTRICT JUDGE

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Exhibit 18

Order of Termination of Proceedings, U.S. Court of Appeals for the Federal Circuit
(May 28, 2020)

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

MAY 28 2020

PETER R. MARKSTEINER
CLERK

NOTE: This order is nonprecedential.

United States Court of Appeals
for the Federal Circuit

IN RE MARC J. RANDAZZA,
Respondent.

2018-MA014

O R D E R

In light of the court's January 3, 2020 order and Marc J. Randazza's submission received May 26, 2020,

IT IS ORDERED THAT:

These proceedings are terminated.

FOR THE COURT

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court

Exhibit 19

Order on Plaintiff's Motion for Sanctions as to Marc Randazza
Fiddler's Creek Foundation, Inc. v. James Schutt
(December 9, 2013)

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR COLLIER COUNTY, FLORIDA

FIDDLER'S CREEK FOUNDATION, INC.,
Plaintiff,

v.

JAMES A. SCHUTT
Defendant.

CIVIL ACTION
Case No. 13-314-CA
CLERK OF COURTS
D.C.
2013 DEC -9 AM 7:43
FILED, 10
COLLIER COUNTY, FLORIDA

ORDER ON PLAINTIFF'S MOTION FOR SANCTIONS AS TO MARC RANDAZZA

THIS CAUSE having come before the Court on October 30, 2013, upon the Motion For Sanctions filed by Plaintiff, Fiddler's Creek Foundation, Inc., as against Marc J. Randazza, Esq. ("Randazza") and Anthony T. Coe ("Coe"), and the Court having heard argument of counsel, reviewed the memoranda of law and the excerpts from the August 9, 2013 deposition of Coe, and being otherwise fully advised in the premises, it is hereby

IT IS HEREBY ORDERED AND ADJUDGED:

1. The Motion for Sanctions is granted as against Randazza as set forth herein.
2. Per his offer and agreement, Randazza will pay the reasonable costs associated with the continuation of the deposition of non-party witness Tony Coe;
3. Per his offer and agreement, Randazza agrees to reimburse plaintiff the reasonable costs associated with the preparation of the Motion and the hearing on the Motion; and,
4. Randazza is not to engage in any communication regarding this action, in any fashion, with any party, witness or attorney related to this action.

**DONE AND ORDERED THIS 6, day of December, 2013 at Naples, Collier
County, Florida.**


Lauren Brodie
LAUREN BRODIE
CIRCUIT COURT JUDGE

cc: All counsel of record
Brian L. Tannebaum, Esq. 12/6/13
cgs

STATE OF RHODE ISLAND
PROVIDENCE / BRISTOL , SC

SUPERIOR COURT

Ashley St. Angelo & Anthony St. Angelo

v.

C.A. No. PC-2021-00224

Aidan Kearney & Julianne Kearney

MISCELLANEOUS PETITION FOR ADMISSION PRO HAC VICE
SUPREME COURT ARTICLE II, RULE 9(A)

Sean M. McAteer

hereby requests that

Marc J. Randazza

Petitioner

be admitted pro hac vice in the above-case/agency proceeding as counsel with local associate counsel identified below, on the following grounds (*Please check appropriate grounds and provide specifics as noted*):

- The case/agency proceeding involves the following complex areas of the law, in which pro hac vice counsel concentrates: (*Petitioner shall specify the area of law at issue and the basis upon which s/he certifies that the pro hac vice counsel concentrates in said area, including past cases in this or any other jurisdiction. Detailed information about past cases, including docket sheets, must be provided. Attach additional pages if needed.*)

Attorney Randazza concentrates heavily in defamation and First Amendment law. Defendants require this level of experience in these complex areas of law, and specifically requests Marc J. Randazza to represent Defendants.

See attached past cases.

- Pro hac vice counsel's long-standing representation of the client: (*Petitioner shall specify all facts to support the long-standing attorney-client relationship at issue, including dates and extent of the representation. Detailed information about past cases, including docket sheets, must be provided. Attach additional pages if needed.*)

Mr. Kearney has been represented by Marc J. Randazza and Randazza Legal Group, PLLC. since May of 2020. Mr. Kearney is represented by Attorney Randazza for ongoing First Amendment and other various legal advice.

Supreme-6 (revised February 2013)

- The local bar lacks experience in the field involved: (*Petitioner shall specify all facts to support the claim that the local bar lacks the expertise necessary to competently handle this case. Attach additional pages if needed.*)

Attorney Randazza is a member and former President of the First Amendment Lawyers Association. There are no members of this esteemed organization in Rhode Island. A Google search of "rhode island first amendment lawyer" yields only 2 attorneys on the first page, in contrast to the fleet of results for "rhode island criminal defense lawyer".

- The case/agency proceeding involves complex legal questions under the law of a foreign jurisdiction with which pro hac vice counsel is familiar: (*Petitioner shall specify all facts to support the claim that the case/agency proceeding involves the existence of legal questions involving the law of a foreign jurisdiction with which pro hac vice counsel is familiar and the basis for that familiarity. Detailed information about past cases, including docket sheets, must be provided. Attach additional pages if needed.*)

There is an associated case in the District Court of Leominster, Massachusetts, where Mr. Kearney, a Massachusetts citizen, has obtained a Harassment Prevention Order against Ms. St. Angelo. Attorney Randazza is admitted in Massachusetts and is counseling Mr. Kearney on that matter in connection with the defense of this matter.

- The case/agency proceeding requires extensive discovery in a foreign jurisdiction convenient to pro hac vice counsel: (*Petitioner shall specify all facts to support the need for extensive discovery proceedings in a foreign jurisdiction with which pro hac vice counsel is familiar. Detailed information about past cases, including docket sheets, must be provided. Attach additional pages if needed.*)

- It is a criminal case, and pro hac vice counsel is defendant's counsel of choice.

Supreme-6 (revised February 2013)

Other: (Petitioner shall specify all other facts to support a finding of good cause. Attach additional pages if needed.)

I hereby represent that I am a member in good standing of the bar of the State of Rhode Island and that I am actively engaged in the practice of law out of an office located in this state.



Signature

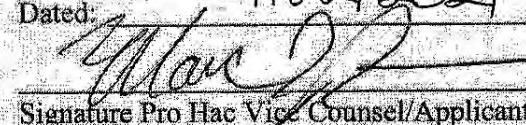
Sean M. McAtee, 4118

Print Name and R.I. Bar No.

Attorney for: Aidan Kearney & Julianne Kearney

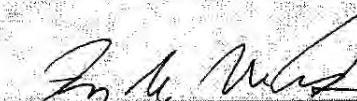
Dated:

4/22/2021


Signature Pro Hac Vice Counsel/Applicant

CERTIFICATE OF SERVICE

I, Sean M. McAtee, hereby certify that a true copy of the within petition for admission pro hac vice with accompanying attorney and client certifications were sent postage prepaid to plaintiffs on this 22nd day of April 2021



STATE OF RHODE ISLAND

SUPERIOR COURT

PROVIDENCE / BRISTOL, SC

ASHLEY ST. ANGELO & ANTHONY ST.
ANGELO,

v.

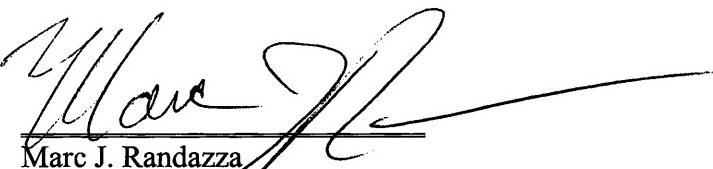
AIDAN KEARNEY & JULIANNE
KEARNEY

C.A. No. PC-2021-00224

**ATTACHMENT TO MISCELLANEOUS PETITION FOR
ADMISSION PRO HAC VICE OF MARC J. RANDAZZA**

Applicant, Marc J. Randazza, concentrates his practice in First Amendment law, the area of law that is the central focus of the issues in this case. For example, in *Tobinick v. Novella*, No. 9:14-CV-80781, 2015 U.S. Dist. LEXIS 43628 (S.D. Fla. Apr. 2, 2015), Applicant defended against defamation and Lanham Act claims by a practitioner of spurious medical treatments against an attempt, through injunctive relief, to take down and preclude legitimate criticism of the practitioner. The docket sheet is attached. And, in analogous proceedings in Massachusetts under Mass. Gen. Laws, ch. 258E, Applicant defended his client against the issuance of harassment prevention orders that were sought on account of her First Amendment-protected speech. *See Liu v. Hutchings*, Docket No. 1681CV1696 (Middlesex Superior Ct., Mass.) and *Valtchanova Georgiou v. Hutchings*, Docket No. 2047RO0259 (Concord Dist. Ct., Mass.) (docket sheets unavailable). As First Amendment law is his primary area of practice, other examples can be provided as necessary.

Dated: April 21, 2021



Marc J. Randazza
Applicant

21/04/2021

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BER,CLOSED,MEDIATION,MEDREQ,MOTREF,REF_DISCOV,REF_EVENTS ONLY
(NEFs),REF_PTRL,STAYED

**U.S. District Court
Southern District of Florida (West Palm Beach)
CIVIL DOCKET FOR CASE #: 9:14-cv-80781-RLR**

Edward Lewis Tobinick, MD et al v. Novella et al

Assigned to: Judge Robin L. Rosenberg

Referred to: Magistrate Judge Bruce E. Reinhart

Case in other court: USCA, 15-14889-A

USCA, 16-16210-A

18-10175-F

Date Filed: 06/09/2014

Date Terminated: 09/30/2015

Jury Demand: Plaintiff

Nature of Suit: 890 Other Statutory

Actions

Jurisdiction: Federal Question

Cause: 15:1125 Trademark Infringement (Lanham Act)

Plaintiff

Edward Lewis Tobinick, MD

a medical corporation

doing business as

The Institute of Neurological

Recovery

represented by **Aaron R. Gott**

Bona Law, P.C.

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858-964-4589

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TERMINATED: 09/23/2015

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PRO HAC VICE

ATTORNEY TO BE NOTICED

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TERMINATED: 09/23/2015

LEAD ATTORNEY

PRO HAC VICE

ATTORNEY TO BE NOTICED

Mark R. Osherow

Osherow, PLLC

21/04/2021

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Email: damiller@broadandcassel.com
TERMINATED: 02/24/2015
ATTORNEY TO BE NOTICED

Plaintiff

**The Institute of Neurological
Recovery**
TERMINATED: 08/01/2014

represented by **Mark R. Osherow**
(See above for address)
TERMINATED: 02/24/2015
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

21/04/2021

CM/ECF - Live Database - flsd

Peter Glen Herman
(See above for address)
TERMINATED: 01/28/2015
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Salvatore Hazard Fasulo
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Reid Alexander Cocalis
(See above for address)
TERMINATED: 01/28/2015
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Alexander Daniel Brown
(See above for address)
TERMINATED: 01/28/2015
ATTORNEY TO BE NOTICED

Daniel A. Miller
(See above for address)
TERMINATED: 02/24/2015
ATTORNEY TO BE NOTICED

Plaintiff

INR PLLC
*a Florida professional limited
liability company
doing business as
Institute of Neurological
Recovery*

represented by **Aaron R. Gott**
(See above for address)
TERMINATED: 09/23/2015
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Cullin Avram O'Brien
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

21/04/2021

CM/ECF - Live Database - flsd

Jarod Bona

(See above for address)

TERMINATED: 09/23/2015

LEAD ATTORNEY

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ATTORNEY TO BE NOTICED

Mark R. Osherow

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TERMINATED: 02/24/2015

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Peter Glen Herman

(See above for address)

TERMINATED: 01/28/2015

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Salvatore Hazard Fasulo

(See above for address)

TERMINATED: 01/28/2015

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Geoffrey Michael Cahen

(See above for address)

ATTORNEY TO BE NOTICED

Reid Alexander Cocalis

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TERMINATED: 01/28/2015

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Alexander Daniel Brown

(See above for address)

TERMINATED: 01/28/2015

ATTORNEY TO BE NOTICED

Daniel A. Miller

(See above for address)

TERMINATED: 02/24/2015

ATTORNEY TO BE NOTICED

Plaintiff

21/04/2021

CM/ECF - Live Database - flsd

M.D. Edward Tobinick
an individual

represented by **Aaron R. Gott**
(See above for address)
TERMINATED: 09/23/2015
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jarod Bona
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TERMINATED: 09/23/2015
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Mark R. Osherow
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TERMINATED: 02/24/2015
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Peter Glen Herman
(See above for address)
TERMINATED: 01/28/2015
LEAD ATTORNEY
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Salvatore Hazard Fasulo
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TERMINATED: 01/28/2015
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Cullin Avram O'Brien
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Geoffrey Michael Cahen
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ATTORNEY TO BE NOTICED

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(See above for address)
TERMINATED: 01/28/2015
ATTORNEY TO BE NOTICED

21/04/2021

CM/ECF - Live Database - flsd

Alexander Daniel Brown
(See above for address)
TERMINATED: 01/28/2015
ATTORNEY TO BE NOTICED

Daniel A. Miller
(See above for address)
TERMINATED: 02/24/2015
ATTORNEY TO BE NOTICED

V.

Defendant

M.D. Steven Novella
an individual

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TERMINATED: 05/22/2015
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PRO HAC VICE

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ATTORNEY TO BE NOTICED

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Fischer Law, P.L.
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ATTORNEY TO BE NOTICED

Defendant

Yale University
a Connecticut corporation
TERMINATED: 09/25/2014

represented by **Andrew H. Marks**
Coffey Burlington
2699 South Bayshore Drive
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305-858-2900
Fax: 305-858-5261
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TERMINATED: 02/24/2015
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ATTORNEY TO BE NOTICED

Jeffrey R. Babbin
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265 Church Street
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John M. Doroghazi
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Kimberly Jordan Freedman
Nelson Mullins Broad and Cassel
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305-373-9400
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kimberly.freedman@nelsonmullins.com
TERMINATED: 07/30/2015
ATTORNEY TO BE NOTICED

Defendant

Society for Science-Based Medicine, Inc.
a Florida corporation
TERMINATED: 03/16/2015

represented by **Edward Samuel Polk**
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9150 South Dadeland Blvd.
Suite 1400
Miami, FL 33156
305-350-5338
Fax: 305-373-2294
Email: edward.polk@csklegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

SGU Productions, LLC
a Connecticut limited liability company
TERMINATED: 09/25/2014

represented by **Darren Joel Spielman**
Kain & Associates, Attorneys at Law,
P.A.
900 SE Third Avenue
Suite 205
Ft. Lauderdale, FL 33316
954-768-9002
Fax: 954-768-0158
Email: dspielman@complexip.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Respondent

Geoffrey Michael Cahen
Cahen Law, P.A.
1900 Glades Rd., Suite 355

represented by **Geoffrey Michael Cahen**
(See above for address)
ATTORNEY TO BE NOTICED

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Boca Raton, FL 33431
5619220430

Respondent

Cullin O'Brien
6541 NE 21st Way
Ft. Lauderdale, FL 33308
5616766370

represented by **Geoffrey Michael Cahen**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/09/2014	1	COMPLAINT against All Defendants. Filing fees \$ 400.00 receipt number 113C-6811959, filed by Edward Lewis Tobinick, Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery. (Attachments: # 1 Civil Cover Sheet, # 2 Summon(s) Novella, Steven, # 3 Summon(s) Yale University, # 4 Summon(s) SGU Productons, # 5 Summon(s) Society for Science-Based Medicine, Inc.) (Brown, Alexander) (Entered: 06/09/2014)
06/09/2014	2	Judge Assignment to Judge William J. Zloch (yha) (Entered: 06/11/2014)
06/11/2014	3	Summons Issued as to Steven Novella, Society for Science-Based Medicine, Inc., Yale University. (yha) (Entered: 06/11/2014)
06/11/2014	4	FORM AO 120 SENT TO DIRECTOR OF U.S. PATENT AND TRADEMARK (yha) (Entered: 06/11/2014)
06/11/2014	5	Clerks Notice to Filer re: Electronic Case. Parties Not Added. The Filer failed to add all parties associated with the case. Filer is instructed to add the additional parties by filing a Notice of Entry of Parties. It is not necessary to re-file this document. (yha) (Entered: 06/11/2014)
06/11/2014	6	VERIFIED MOTION for Temporary and Preliminary Injunctive Relief and Incorporated Memorandum of Law by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Brown, Alexander) Modified text on 6/11/2014 (jua). (Entered: 06/11/2014)
06/13/2014	7	Notice of Entry of Parties Listed NOTE: New Filer(s) will appear twice, since they are also a new party in the case. New Filer(s)/Party(s): SGU Productions, LLC. (Brown, Alexander) (Entered: 06/13/2014)
06/18/2014	8	NOTICE of Filing Proposed Summons(es) for SGU Productions, LLC by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick

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		(Attachments: # 1 Summon(s) Proposed)(Brown, Alexander) (Entered: 06/18/2014)
06/18/2014	9	AMENDED NOTICE of Filing Proposed Summons(es) <i>SGU Productions, LLC</i> by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick (Attachments: # 1 Summon(s))(Brown, Alexander) Modified text on 6/18/2014 (jua). (Entered: 06/18/2014)
06/18/2014	10	Summons Issued as to SGU Productions, LLC. (jua) (Entered: 06/18/2014)
06/20/2014	11	SUMMONS (Affidavit) Returned Executed on 1 Complaint, with a 21 day response/answer filing deadline by Edward Tobinick, Edward Lewis Tobinick, MD, INR PLLC. Society for Science-Based Medicine, Inc. served on 6/12/2014, answer due 7/3/2014. (Fasulo, Salvatore) (Entered: 06/20/2014)
07/01/2014	12	MOTION for Extension of Time Defendant, Society for Science-Based Medicine, Inc.'s to Respond to Complaint re 1 Complaint, by Society for Science-Based Medicine, Inc.. Attorney Edward Samuel Polk added to party Society for Science-Based Medicine, Inc.(pty:dft). Responses due by 7/18/2014 (Polk, Edward) Modified relief on 7/1/2014 (jua). (Entered: 07/01/2014)
07/02/2014	13	PAPERLESS ORDER granting 12 Motion for Extension of Time to Respond to Complaint. Defendant Society for Science-Based Medicine, Inc. shall file its response to Plaintiffs' Complaint by Noon, 7/14/2014. Signed by Judge William J. Zloch on 7/2/2014. (bc) (Entered: 07/02/2014)
07/02/2014	14	ORDER of Instructions. Signed by Judge William J. Zloch on 7/2/2014. (bc) (Entered: 07/02/2014)
07/03/2014	15	Corporate Disclosure Statement by Society for Science-Based Medicine, Inc. (Polk, Edward) (Entered: 07/03/2014)
07/10/2014	16	Corporate Disclosure Statement by Edward Lewis Tobinick, MD, INR PLLC (Brown, Alexander) (Entered: 07/10/2014)
07/10/2014	17	RETURN OF SERVICE by Edward Lewis Tobinick, MD, INR PLLC re 10 Summons Issued to <i>SGU Productions</i> (Fasulo, Salvatore) Modified text on 7/10/2014 (jua). (Entered: 07/10/2014)
07/10/2014	18	SUMMONS (Affidavit) Returned Executed on 1 Complaint, with a 21 day response/answer filing deadline by Edward Lewis Tobinick, MD, INR PLLC. Yale University served on 6/27/2014, answer due 7/18/2014. (Fasulo, Salvatore) (Entered: 07/10/2014)
07/10/2014	19	SUMMONS (Affidavit) Returned Executed on 1 Complaint, with a 21

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		day response/answer filing deadline by Edward Lewis Tobinick, MD, INR PLLC. Steven Novella served on 6/25/2014, answer due 7/16/2014. (Fasulo, Salvatore) (Entered: 07/10/2014)
07/10/2014	20	SUMMONS (Affidavit) Returned Executed on 1 Complaint, with a 21 day response/answer filing deadline by Edward Lewis Tobinick, MD, INR PLLC. SGU Productions, LLC served on 6/25/2014, answer due 7/16/2014. (Fasulo, Salvatore) (Entered: 07/10/2014)
07/14/2014	21	STRICKEN - MOTION TO DISMISS 1 Complaint, FOR FAILURE TO STATE A CLAIM , MOTION for Summary Judgment , MOTION for More Definite Statement by Society for Science-Based Medicine, Inc.. Responses due by 7/31/2014 (Attachments: # 1 Affidavit Affidavit of Jann Bellamy)(Polk, Edward) Modified to show that this document has been stricken per DE 25 on 7/15/2014 (jua). (Entered: 07/14/2014)
07/14/2014	22	STRICKEN - Statement of: Material Facts for Which There is No Genuine Dispute by Society for Science-Based Medicine, Inc. re 1 Complaint, 21 MOTION TO DISMISS 1 Complaint, FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement (Polk, Edward) Modified to show that this document has been stricken per DE 25 on 7/15/2014 (jua). (Entered: 07/14/2014)
07/14/2014	23	MOTION TO DISMISS 1 Complaint, FOR FAILURE TO STATE A CLAIM , MOTION for More Definite Statement , MOTION for Summary Judgment by Society for Science-Based Medicine, Inc.. Responses due by 7/31/2014 (Attachments: # 1 Affidavit Affidavit of Jann Bellamy)(Polk, Edward) (Entered: 07/14/2014)
07/14/2014	24	Statement of: Undisputed Facts in Support by Society for Science-Based Medicine, Inc. re 1 Complaint, 23 MOTION TO DISMISS 1 Complaint, FOR FAILURE TO STATE A CLAIM MOTION for More Definite Statement MOTION for Summary Judgment (Polk, Edward) Modified text on 7/15/2014 (jua). (Entered: 07/14/2014)
07/14/2014	25	NOTICE of Striking 21 MOTION TO DISMISS 1 Complaint, FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement filed by Society for Science-Based Medicine, Inc., 22 Statement, filed by Society for Science-Based Medicine, Inc. <i>Docket Entries 21 and 22</i> by Society for Science-Based Medicine, Inc. (Polk, Edward) (Entered: 07/14/2014)
07/14/2014	26	OPPOSITION to 6 Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law by Steven Novella. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, #

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		3 Exhibit Exhibit C, # 4 Exhibit Exhibit D)(Randazza, Marc) Modified text on 7/15/2014 (jua). (Entered: 07/14/2014)
07/15/2014	27	STRICKEN - SUPPLEMENT to 26 Response/Reply (Other), <i>Errata to 26-1 Signed Declaration of Steven Novella</i> by Steven Novella (Randazza, Marc) Modified to show that this document has been stricken per DE 29 on 7/16/2014 (jua). (Entered: 07/15/2014)
07/15/2014	28	Clerks Notice to Filer re 27 Supplement. Document Not Captioned ; CORRECTIVE ACTION REQUIRED - The Filer must File a Notice of Striking, then refile the document with the proper caption pursuant to Local Rules. (jua) (Entered: 07/15/2014)
07/15/2014	29	NOTICE of Striking 27 Supplement filed by Steven Novella by Steven Novella (Randazza, Marc) (Entered: 07/15/2014)
07/15/2014	30	DECLARATION to 26 Response/Reply (Other), <i>Opposition to Motion for Preliminary Injunction</i> by Steven Novella (Randazza, Marc) Modified text on 7/16/2014 (jua). (Entered: 07/15/2014)
07/16/2014	31	Defendant's MOTION for Extension of Time to File Answer RE: Complaints re 1 Complaint, by Steven Novella. (Randazza, Marc) (Entered: 07/16/2014)
07/16/2014	32	PAPERLESS ORDER granting Defendant Dr. Steven Novella's Motion For Extension Of Time To Respond To Complaint [DE 31]. Defendant Dr. Steven Novella shall have until on or before noon on July 23, 2014, to file an Answer or other responsive pleading. Signed by Judge William J. Zloch on 7/16/2014. (ary) (Entered: 07/16/2014)
07/18/2014	33	Corporate Disclosure Statement by Yale University (Marks, Andrew) (Entered: 07/18/2014)
07/18/2014	34	MOTION to Dismiss 1 Complaint, <i>Pursuant to Rule 12(b)(2) and Supporting Memorandum of Law</i> by Yale University. Attorney Andrew H. Marks added to party Yale University(pty:dft). Responses due by 8/4/2014 (Attachments: # 1 Exhibit A (Declaration of David Florin), # 2 Exhibit B (Google Maps Printout))(Marks, Andrew) (Entered: 07/18/2014)
07/18/2014	35	NOTICE of Attorney Appearance by Kimberly Jordan Freedman on behalf of Yale University. Attorney Kimberly Jordan Freedman added to party Yale University(pty:dft). (Freedman, Kimberly) (Entered: 07/18/2014)
07/23/2014	36	Defendant's MOTION to Dismiss for Lack of Jurisdiction 1 Complaint, <i>and Improper Venue</i> by Steven Novella. Responses due by 8/11/2014 (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B) (Randazza, Marc) (Entered: 07/23/2014)

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07/23/2014	37	NOTICE of Attorney Appearance by Darren Joel Spielman on behalf of SGU Productions, LLC. Attorney Darren Joel Spielman added to party SGU Productions, LLC(pty:dft). (Spielman, Darren) (Entered: 07/23/2014)
07/23/2014	38	MOTION for Extension of Time to File Answer RE: Complaints re 1 Complaint, by SGU Productions, LLC. (Attachments: # 1 Text of Proposed Order)(Spielman, Darren) (Entered: 07/23/2014)
07/24/2014	39	Plaintiff's MOTION for Extension of Time to File Response/Reply as to 26 Response/Reply (Other), by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Attachments: # 1 Text of Proposed Order) (Fasulo, Salvatore) (Entered: 07/24/2014)
07/25/2014	40	PAPERLESS ORDER granting 39 Motion for Extension of Time to File Reply. Plaintiffs shall file their Reply to Defendant's Opposition to Plaintiffs' Motion for Temporary and Preliminary Injunction Relief 26 by Noon, Friday, 8/15/2014. Signed by Judge William J. Zloch on 7/25/2014. (bc) (Entered: 07/25/2014)
07/25/2014	41	PAPERLESS ORDER granting 38 Motion for Extension of Time to Respond to Complaint. Defendant SGU Productions, LLC shall file its response to Plaintiffs' Complaint by Noon, Wednesday, 7/30/2014. Signed by Judge William J. Zloch on 7/25/2014. (bc) (Entered: 07/25/2014)
07/28/2014	42	MOTION for Extension of Time to File Response to 23 Society for Science-Based Medicine, Inc's Motion to Dismiss by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Attachments: # 1 Text of Proposed Order)(Fasulo, Salvatore) Modified to add link on 7/29/2014 (jua). (Entered: 07/28/2014)
07/28/2014	43	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for John M. Doroghazi. Filing Fee \$ 75.00. Receipt # 83539. (ksa) (Entered: 07/29/2014)
07/28/2014	44	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Jeffrey R. Babbin. Filing Fee \$ 75.00. Receipt # 83538. (ksa) (Entered: 07/29/2014)
07/29/2014	45	Clerks Notice to Filer re 42 MOTION for Extension of Time to File Response/Reply to <i>Society for Science-Based Medicine, Inc's Motion to Dismiss</i> . Document Not Linked ; ERROR - The filed document was not linked to the related docket entry. The correction was made by the Clerk. It is not necessary to refile this document. (jua) (Entered: 07/29/2014)

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07/29/2014	46	JOINT SCHEDULING REPORT - Rule 16.1 by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick (Brown, Alexander) Modified text on 7/29/2014 (jua). (Entered: 07/29/2014)
07/29/2014	47	RESPONSE in Opposition re 6 Plaintiff's MOTION for Preliminary Injunction <i>and Temporary Relief and Incorporated Memorandum of Law</i> filed by Society for Science-Based Medicine, Inc.. (Polk, Edward) (Entered: 07/29/2014)
07/30/2014	48	MOTION TO DISMISS 1 Complaint, FOR FAILURE TO STATE A CLAIM , MOTION to Dismiss for Lack of Jurisdiction 1 Complaint, (Responses due by 8/18/2014) by SGU Productions, LLC. (Attachments: # 1 Exhibit A: (Declaration for SGU Productions, LLC))(Spielman, Darren) (Entered: 07/30/2014)
07/30/2014	49	RESPONSE to Motion re 6 Plaintiff's MOTION for Preliminary Injunction <i>and Temporary Relief and Incorporated Memorandum of Law</i> filed by Yale University. Replies due by 8/11/2014. (Freedman, Kimberly) (Entered: 07/30/2014)
07/30/2014	50	PAPERLESS ORDER granting 42 Motion for Extension of Time to File Response/Reply. Plaintiffs have until noon on Friday, 8/15/14 to file their Response to Defendant Society for Science-Based Medicine, Inc.'s Motion To Dismiss (DE 23). Signed by Judge William J. Zloch on 7/30/2014. (wjz3) (Entered: 07/30/2014)
07/30/2014		Reset Deadline per DE 50 as to 23 MOTION TO DISMISS 1 Complaint, FOR FAILURE TO STATE A CLAIM MOTION for More Definite Statement MOTION for Summary Judgment . Responses due by 8/15/2014. (jua) (Entered: 07/31/2014)
07/31/2014	51	PAPERLESS ORDER granting 43 and 44 Motions to Appear Pro Hac Vice. Attorneys John M. Doroghazi and Jeffrey R. Babbin are permitted to appear on behalf of Defendant Yale University. Signed by Judge William J. Zloch on 7/31/2014. (bc) (Entered: 07/31/2014)
07/31/2014	52	ORDER for Pre-Trial Conference. Pretrial Conference set for 7/31/2015 at 9:30 AM in Fort Lauderdale Division before Judge William J. Zloch. Pretrial Stipulation due by Noon, 7/17/2015. Signed by Judge William J. Zloch on 7/31/2014. (bc) (Entered: 07/31/2014)
07/31/2014	53	ORDER REFERRING CASE to Mediation. Signed by Judge William J. Zloch on 7/31/2014. (bc) (Entered: 07/31/2014)
07/31/2014	54	Order on Trial Instructions. Signed by Judge William J. Zloch on 7/31/2014. (bc) (Entered: 07/31/2014)
08/01/2014	55	First AMENDED COMPLAINT against All Defendants, filed by

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		Edward Tobinick, Edward Lewis Tobinick, MD, INR PLLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5)(Fasulo, Salvatore) (Entered: 08/01/2014)
08/04/2014	56	PAPERLESS ORDER denying as moot 23 , 34 , 36 and 48 Motions to Dismiss per Plaintiffs' First Amended Complaint 55 . Signed by Judge William J. Zloch on 8/4/2014. (bc) (Entered: 08/04/2014)
08/05/2014	57	Initial Disclosure(s) of Rule 26 Disclosures by Society for Science-Based Medicine, Inc. (Polk, Edward) (Entered: 08/05/2014)
08/05/2014	58	ORDER REASSIGNING CASE to Judge Robin L. Rosenberg for all further proceedings, Judge William J. Zloch no longer assigned to case Signed by Judge William J. Zloch on 8/5/2014. (mb) (Entered: 08/06/2014)
08/08/2014	59	MOTION to Dismiss for Lack of Jurisdiction 55 Amended Complaint by SGU Productions, LLC. Responses due by 8/25/2014 (Attachments: # 1 Exhibit A: (Declaration for SGU Productions, LLC))(Spielman, Darren) (Entered: 08/08/2014)
08/08/2014	60	RESPONSE in Opposition re 6 Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law filed by SGU Productions, LLC. (Spielman, Darren) (Entered: 08/08/2014)
08/08/2014	61	REPLY to Response to Motion re 6 Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law filed by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Attachments: # 1 Exhibit 1)(Fasulo, Salvatore) (Entered: 08/08/2014)
08/08/2014	62	Plaintiff's MOTION for Hearing re 6 Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Fasulo, Salvatore) (Entered: 08/08/2014)
08/08/2014	63	VACATED - ORDER OF REFERENCE; Referring 6 Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law filed by Edward Lewis Tobinick, MD, Edward Tobinick, INR PLLC; 6 Motion referred to Magistrate Judge Dave Lee Brannon. Signed by Judge Robin L. Rosenberg on 8/8/2014. (ral) Modified to show that this order has been vacated per DE 116 on 1/23/2015 (jua). (Entered: 08/11/2014)
08/11/2014	64	REPLY in Support of re 6 Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law filed by Edward Lewis Tobinick, MD, INR PLLC, Edward

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		Tobinick. (Fasulo, Salvatore) Modified text on 9/19/2014 (yar). (Entered: 08/11/2014)
08/11/2014	65	Defendant's MOTION to Dismiss 55 Amended Complaint by Steven Novella. Responses due by 8/28/2014 (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D)(Randazza, Marc) (Entered: 08/11/2014)
08/13/2014	66	MOTION to Dismiss 55 Amended Complaint <i>Pursuant to Rule 12(b) (2) and Supporting Memorandum of Law</i> by Yale University. Responses due by 9/2/2014 (Attachments: # 1 Exhibit A (Florin Declaration), # 2 Exhibit B (Google Maps))(Freedman, Kimberly) (Entered: 08/13/2014)
08/14/2014	67	VACATED - ORDER REFERRING 62 Plaintiff's MOTION for Preliminary Hearing re 6 Plaintiff's MOTION for Preliminary Injunction <i>and Temporary Relief and Incorporated Memorandum of Law</i> filed by Edward Lewis Tobinick, MD, Edward Tobinick, INR PLLC. Motion referred to Judge Dave Lee Brannon. Signed by Judge Robin L. Rosenberg on 8/14/2014. (jua) Modified to show that this order has been vacated per DE 116 on 1/23/2015 (jua). (Entered: 08/15/2014)
08/15/2014	68	Unopposed MOTION for Leave to File <i>Sur-Reply to Plaintiffs' Reply in Support of Their Motion for Temporary and Preliminary Injunctive Relief</i> by Yale University. (Attachments: # 1 Exhibit Sur-Reply) (Freedman, Kimberly) (Entered: 08/15/2014)
08/15/2014	69	REPLY to Response to Motion re 6 Plaintiff's MOTION for Preliminary Injunction <i>and Temporary Relief and Incorporated Memorandum of Law</i> filed by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Brown, Alexander) (Entered: 08/15/2014)
08/15/2014	70	ENDORSED ORDER: Being fully advised in the premises, the Court GRANTS Defendant Yale University's unopposed Motion for Leave to File a Sur-Reply to Plaintiffs' Reply in Support of Their Motion for Temporary and Preliminary Injunctive Relief 68 . Defendant shall separately file and serve its Sur-Reply to Plaintiffs' Reply forthwith. Signed by U.S. Magistrate Judge Dave Lee Brannon on 8/15/2014. (js00) (Entered: 08/15/2014)
08/15/2014	71	RESPONSE/REPLY to 64 Reply to Response to Motion (<i>Sur-Reply</i>) by Yale University. (Freedman, Kimberly) (Entered: 08/15/2014)
08/15/2014	72	RESPONSE to Motion re 62 Plaintiff's MOTION for Hearing re 6 Plaintiff's MOTION for Preliminary Injunction <i>and Temporary Relief and Incorporated Memorandum of Law</i> filed by Yale University.

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		Replies due by 8/25/2014. (Freedman, Kimberly) (Entered: 08/15/2014)
08/18/2014	73	REPLY to Response to Motion re 6 Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law filed by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Fasulo, Salvatore) (Entered: 08/18/2014)
08/18/2014	74	MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM , MOTION for Summary Judgment , MOTION for More Definite Statement by Society for Science-Based Medicine, Inc.. Responses due by 9/5/2014 (Attachments: # 1 Affidavit Affidavit of Jann Bellamy, # 2 Exhibit Sunbiz report, # 3 Exhibit Statement of Undisputed Facts)(Polk, Edward) (Entered: 08/18/2014)
08/20/2014	75	NOTICE of Mediator Selection: Sanford Lewis Bohrer selected. (Fasulo, Salvatore) (Entered: 08/20/2014)
08/22/2014	76	RESPONSE in Opposition re 59 MOTION to Dismiss for Lack of Jurisdiction 55 Amended Complaint filed by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Attachments: # 1 Exhibit A - Affidavit of Edward Tobinick, MD)(Brown, Alexander) (Entered: 08/22/2014)
08/25/2014	77	RESPONSE in Opposition re 65 Defendant's MOTION to Dismiss 55 Amended Complaint filed by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Attachments: # 1 Exhibit A - Affidavit of Edward Tobinick, MD)(Brown, Alexander) (Entered: 08/25/2014)
08/28/2014	78	RESPONSE in Opposition re 66 MOTION to Dismiss 55 Amended Complaint Pursuant to Rule 12(b)(2) and Supporting Memorandum of Law filed by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Attachments: # 1 Exhibit A - Affidavit of Edward Tobinick, MD)(Brown, Alexander) (Entered: 08/28/2014)
08/29/2014	79	ORDER Setting Calendar Call and Trial Date: (Trial set for 10/26/2015 09:00 AM in West Palm Beach Division before Judge Robin L. Rosenberg., Status Conference/Calendar Call set for 10/21/2015 09:00 AM before Judge Robin L. Rosenberg.), ORDER REFERRING CASE to Magistrate Judge Dave Lee Brannon for Scheduling Matters and Pretrial Discovery Matters. Signed by Judge Robin L. Rosenberg on 8/28/2014. (jua) (Entered: 08/29/2014)
09/02/2014	80	REPLY to Response to Motion re 59 MOTION to Dismiss for Lack of Jurisdiction 55 Amended Complaint filed by SGU Productions, LLC. (Spielman, Darren) (Entered: 09/02/2014)
09/04/2014	81	RESPONSE in Opposition re 74 MOTION TO DISMISS 55 Amended

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		Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement filed by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Attachments: # 1 Exhibit Affidavit of Edward Tobinick, MD)(Brown, Alexander) (Entered: 09/04/2014)
09/04/2014	82	Statement of: Undisputed Facts in Opposition to SMG's Motion to Dismiss or for Summary Judgment by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick re 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement (Brown, Alexander) (Entered: 09/04/2014)
09/05/2014	83	STRICKEN - REPLY to Response to Motion re 65 Defendant's MOTION to Dismiss 55 Amended Complaint <i>Reply in Support of Defendant's Motion to Dismiss</i> filed by Steven Novella. (Randazza, Marc) Modified to show that this document has been stricken per DE 85 on 9/8/2014 (jua). (Entered: 09/05/2014)
09/05/2014	84	REPLY to Response to Motion re 65 Defendant's MOTION to Dismiss 55 Amended Complaint <i>Errata - Reply in Support of Motion to Dismiss</i> filed by Steven Novella. (Randazza, Marc) (Entered: 09/05/2014)
09/05/2014	85	NOTICE of Striking 83 Reply to Response to Motion filed by Steven Novella by Steven Novella (Randazza, Marc) (Entered: 09/05/2014)
09/08/2014	86	REPLY to Response to Motion re 66 MOTION to Dismiss 55 Amended Complaint <i>Pursuant to Rule 12(b)(2) and Supporting Memorandum of Law</i> filed by Yale University. (Freedman, Kimberly) (Entered: 09/08/2014)
09/08/2014	87	ORDER SETTING DISCOVERY PROCEDURE. Signed by Magistrate Judge Dave Lee Brannon on 9/8/2014. (sa) (Entered: 09/08/2014)
09/15/2014	88	MOTION for Extension of Time to File Response/Reply as to 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement , 82 Statement, 81 Response in Opposition to Motion, by Society for Science-Based Medicine, Inc.. (Polk, Edward) (Entered: 09/15/2014)
09/15/2014	89	PAPERLESS ORDER granting 88 Motion for Extension of Time to File Response/Reply. Defendant's time to file a reply in support of its Motion to Dismiss 55 is extended by 3 days to September 18, 2014. Signed by Judge Robin L. Rosenberg on 9/15/2014. (bkd) (Entered: 09/15/2014)

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09/15/2014		Set Deadline per DE 89 as to 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement . Replies due by 9/18/2014. (jua) (Entered: 09/16/2014)
09/18/2014	90	REPLY to Plaintiff's Oppositon to re 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement filed by Society for Science-Based Medicine, Inc.. (Polk, Edward) Modified text on 9/19/2014 (yar). (Entered: 09/18/2014)
09/25/2014	91	ORDER granting 59 Motion to Dismiss. Plaintiffs' Complaint is Dismissed as to Defendant SGU Productions. Signed by Judge Robin L. Rosenberg on 9/25/2014. (jua) (Entered: 09/25/2014)
09/25/2014	92	ORDER granting 66 Motion to Dismiss. Plaintiffs' Complaint is Dismissed as to Defendant Yale University. Signed by Judge Robin L. Rosenberg on 9/25/2014. (jua) (Entered: 09/25/2014)
09/30/2014	93	SPECIAL MOTION to Strike <i>Anti-SLAPP MOTION</i> by Steven Novella. Responses due by 10/17/2014 (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(Randazza, Marc) Modified relief on 10/1/2014 (jua). (Entered: 09/30/2014)
10/01/2014	94	Clerks Notice to Filer re 93 Defendant's MOTION for Summary Judgment Anti-SLAPP. Wrong Motion Relief(s) Selected; ERROR - The Filer selected the wrong motion relief(s) when docketing the motion. The correction was made by the Clerk. It is not necessary to refile this document but future motions filed must include applicable reliefs. (jua) (Entered: 10/01/2014)
10/06/2014	95	Plaintiff's MOTION for Reconsideration re 91 Order on Motion to Dismiss/Lack of Jurisdiction by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. (Brown, Alexander) (Entered: 10/06/2014)
10/07/2014	96	RESPONSE in Opposition re 95 Plaintiff's MOTION for Reconsideration re 91 Order on Motion to Dismiss/Lack of Jurisdiction filed by SGU Productions, LLC. (Spielman, Darren) (Entered: 10/07/2014)
10/07/2014	97	Defendant's MOTION for Hearing re 93 Motion to Strike <i>Anti-SLAPP Motion</i> by Steven Novella. (Randazza, Marc) (Entered: 10/07/2014)
10/09/2014	98	NOTICE of Attorney Appearance by Reid Alexander Cocalis on behalf of Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Attorney Reid Alexander Cocalis added to party Edward Lewis Tobinick, MD(pty:pla), Attorney

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		Reid Alexander Cocalis added to party INR PLLC(pty:pla), Attorney Reid Alexander Cocalis added to party The Institute of Neurological Recovery(pty:pla), Attorney Reid Alexander Cocalis added to party Edward Tobinick(pty:pla). (Cocalis, Reid) (Entered: 10/09/2014)
10/10/2014	99	REPLY to Response to Motion re 95 Plaintiff's MOTION for Reconsideration re 91 Order on Motion to Dismiss/Lack of Jurisdiction filed by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Replies due by 10/20/2014. (Brown, Alexander) Modified text on 10/10/2014 (jua). (Entered: 10/10/2014)
10/13/2014	100	Plaintiff's MOTION for Extension of Time Seven (7) Day <i>Partially Unopposed</i> re 93 Motion to Strike by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Responses due by 10/30/2014 (Attachments: # 1 Text of Proposed Order)(Brown, Alexander) (Entered: 10/13/2014)
10/13/2014	101	RESPONSE in Opposition re 100 Plaintiff's MOTION for Extension of Time Seven (7) Day <i>Partially Unopposed</i> re 93 Motion to Strike filed by Steven Novella. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit)(Randazza, Marc) (Entered: 10/13/2014)
10/14/2014	102	JOINT MOTION to Strike DE 100 and DE 101 and JOINT MOTION for Extension of Time To File Response re 93 Motion to Strike by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Responses due by 10/31/2014 (Attachments: # 1 Text of Proposed Order)(Brown, Alexander). Added MOTION to Strike on 10/15/2014 (jua). (Entered: 10/14/2014)
10/15/2014	103	Clerks Notice to Filer re 102 Joint MOTION for Extension of Time To File Response re 93 Motion to Strike. Motion with Multiple Reliefs Filed as One Relief ; ERROR - The Filer selected only one relief event and failed to select the additional corresponding events for each relief requested in the motion. The docket entry was corrected by the Clerk. It is not necessary to refile this document but future filings must comply with the instructions in the CM/ECF Attorney User's Manual. (jua) (Entered: 10/15/2014)
10/16/2014	104	ORDER granting 102 Joint Motion to Strike DE 100 and DE 101 and Joint Motion for Extension of Time to Respond to 93 SPECIAL MOTION to Strike Anti-SLAPP MOTION (Responses due by 10/16/2014). Clerk's Office is Directed to Terminate 100 Motion for Extension of Time. Signed by Judge Robin L. Rosenberg on 10/16/2014. (jua) (Entered: 10/16/2014)
10/16/2014	105	RESPONSE in Opposition re 93 Motion to Strike (<i>Anti-SLAPP</i>

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Motion) filed by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. (Attachments: # [1](#) Affidavit A -Dr. Tobinick, # [2](#) Exhibit 1- Tobinick CV, # [3](#) Exhibit 2- 05/8/13 Article Embrel for Stroke, # [4](#) Exhibit 3- 05/17/13 Corresp to Novella, # [5](#) Exhibit 4 Journal Article, # [6](#) Exhibit 5 Journal Article, # [7](#) Exhibit 6 Journal Article, # [8](#) Exhibit 7 Journal Article, # [9](#) Exhibit 8 Journal Article, # [10](#) Exhibit 9 Journal Article, # [11](#) Exhibit 10 Journal Article, # [12](#) Exhibit 11 Journal Article, # [13](#) Exhibit 12 Journal Article, # [14](#) Errata 13 Journal Article, # [15](#) Exhibit 14 Journal Article, # [16](#) Exhibit 15 Journal Article, # [17](#) Exhibit 16 Journal Article, # [18](#) Exhibit 17 Journal Article, # [19](#) Exhibit 18 Journal Article, # [20](#) Exhibit 19 Journal Article, # [21](#) Exhibit 20Journal Article, # [22](#) Exhibit 21 Journal Article, # [23](#) Exhibit 22 - Journal Article, # [24](#) Exhibit 23 - Journal Article, # [25](#) Exhibit 24 - Journal Article, # [26](#) Exhibit 25 - Journal Article, # [27](#) Exhibit 26 - Journal Article, # [28](#) Exhibit 27 - Journal Article, # [29](#) Exhibit 28 - Journal Article, # [30](#) Exhibit 29 - Journal Article, # [31](#) Exhibit 30 - Journal Article, # [32](#) Exhibit 31 - Journal Article, # [33](#) Exhibit 32 - South Hampton news release, # [34](#) Exhibit 33 - Holmes presentation, # [35](#) Exhibit 34 - Novella Blog "Another lawsuit to suppress legitimate criticism, # [36](#) Exhibit 35 - Tripp Scott letter, # [37](#) Exhibit 36 - Skeptics guide blog 472, # [38](#) Exhibit 37 - SGU blog 472, # [39](#) Exhibit 38 - LA Times Article, # [40](#) Exhibit 39 - Ken Chaite Letter, # [41](#) Exhibit 40 - clinical trial.gov, # [42](#) Exhibit 41- clinical trial.gov, # [43](#) Exhibit 42- Daily Mail online article, # [44](#) Exhibit 43-Novella Declaration, # [45](#) Exhibit 44- Osinoff Letter, # [46](#) Exhibit 45-Stipulated Settlement, # [47](#) Exhibit 46 -Web page, # [48](#) Exhibit B-Sunbiz Page)(Cocalis, Reid) (Entered: 10/16/2014)

10/24/2014	106	REPLY to Response to Motion re 93 Motion to Strike <i>Reply in Support of Anti-SLAPP Motion</i> filed by Steven Novella. (Randazza, Marc) (Entered: 10/24/2014)
10/27/2014	107	ENDORSED ORDER SETTING TELEPHONIC SCHEDULING CONFERENCE: Telephonic Scheduling Conference set for 4:30 P.M. on Friday, November 7, 2014. At least 48 hours before the conference, Plaintiff's counsel shall provide the Court (brannon@flsd.uscourts.gov), and opposing counsel with a dial-in conference call number. Because of the expedited nature of the conference, the parties are relieved of Local Rule 16.1(b)'s conference report requirement. The parties must be prepared at their assigned time but may have to wait 15 minutes before their conference begins, as the Court sets two cases per 30-minute time slot. Signed by U.S. Magistrate Judge Dave Lee Brannon on 10/27/2014. (js00) (Entered: 10/27/2014)

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10/29/2014	108	ORDER granting in part Defendant Novella's 97 Motion for Hearing on his 93 Special Motion to Strike (Anti-SLAPP Motion) and setting hearing for November 20, 2014. Signed by Judge Robin L. Rosenberg on 10/28/2014. (cgn) Modified to show that the motion was granted in part on 10/29/2014 (jua). (Entered: 10/29/2014)
10/29/2014		Set Hearing per DE 108 as to 93 SPECIAL MOTION to Strike Anti-SLAPP MOTION. Motion Hearing set for 11/20/2014 08:30 AM in West Palm Beach Division before Judge Robin L. Rosenberg. (jua) (Entered: 10/29/2014)
11/07/2014	109	Minute Entry for proceedings held before U.S. Magistrate Judge Dave Lee Brannon: Telephonic Scheduling Conference held on 11/7/2014. Peter Herman and Reid Cocalis present for Plaintiffs. Marc Randazza, Edward Polk, and Daren Spielman present for Defendants. The Court will enter pretrial scheduling and mediation orders. (Digital/Time in Court: 16:31:42 / 8 mins.) (js00) (Entered: 11/07/2014)
11/12/2014	110	PRETRIAL SCHEDULING ORDER: Amended Pleadings due by 5/11/2015. Discovery due by 8/3/2015. Joinder of Parties due by 5/11/2015. Motions due by 8/17/2015. Pretrial Stipulation due by 9/28/2015. Signed by Magistrate Judge Dave Lee Brannon on 11/12/2014. (sa) (Entered: 11/12/2014)
11/12/2014	111	ORDER REFERRING CASE to Mediation. Signed by Magistrate Judge Dave Lee Brannon on 11/12/2014. (sa) (Entered: 11/12/2014)
11/18/2014	112	NOTICE of Telephonic Appearance by Society for Science-Based Medicine, Inc. re 108 Order on Motion for Hearing, (Polk, Edward) Modified text on 11/19/2014 (jua). (Entered: 11/18/2014)
11/20/2014	113	PAPERLESS MINUTE ENTRY for proceedings held before Judge Robin L. Rosenberg: Motion Hearing held on 11/20/2014 re 93 Motion to Strike filed by Steven Novella. APPEARANCES: Marc Randazza; Reid Cocalis; Darren Spielman; Edward Polk (telephonic). Order to Follow Court Reporter: Karl Shires, 561-514-3728 / Karl_Shires@flsd.uscourts.gov (mno) (Entered: 11/20/2014)
12/12/2014	114	Notice of Supplemental Authority re 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement by Society for Science-Based Medicine, Inc. (Attachments: # 1 Exhibit Case law) (Polk, Edward) (Entered: 12/12/2014)
12/30/2014	115	ORDER denying 95 Motion for Reconsideration. Signed by Judge Robin L. Rosenberg on 12/30/2014. (cgn) (Entered: 12/30/2014)
01/23/2015	116	Order Vacating 63 Order Referring Motion, 67 Order Referring

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		Motion. Signed by Judge Robin L. Rosenberg on 1/23/2015. (jua) (Entered: 01/23/2015)
01/23/2015	117	ORDER granting in part and denying in part 65 Motion to Dismiss. Signed by Judge Robin L. Rosenberg on 1/23/2015. (cgn) (Entered: 01/23/2015)
01/23/2015	118	ORDER Setting Status Conference: Telephonic Status Conference set for 1/28/2015 01:00 PM in West Palm Beach Division before Judge Robin L. Rosenberg. Signed by Judge Robin L. Rosenberg on 1/23/2015. (cgn) (Entered: 01/23/2015)
01/26/2015	119	NOTICE by Edward Lewis Tobinick, MD, The Institute of Neurological Recovery, Edward Tobinick re 118 Order Setting Status Conference <i>Notice of Telephonic Attendance</i> (Cocalis, Reid) (Entered: 01/26/2015)
01/26/2015	120	ORDER converting 74 Defendant Society for Science-Based Medicine, Inc.s Motion to Dismiss Amended Complaint, for More Definite Statement, or for Summary Judgment to a Motion for Summary Judgment. Signed by Judge Robin L. Rosenberg on 1/26/2015. (cgn) (Entered: 01/26/2015)
01/26/2015	121	ORDER Setting Hearing on Motion 74 Motion for Summary Judgment: Motion Hearing set for 2/6/2015 08:30 AM in West Palm Beach Division before Judge Robin L. Rosenberg. Signed by Judge Robin L. Rosenberg on 1/26/2015. (cgn) (Entered: 01/26/2015)
01/26/2015	122	NOTICE by Steven Novella re 118 Order Setting Status Conference <i>Notice of Telephonic Appearance</i> (Randazza, Marc) (Entered: 01/26/2015)
01/26/2015	123	NOTICE by Steven Novella re 121 Order Setting Hearing on Motion <i>Notice of Telephonic Appearance</i> (Randazza, Marc) (Entered: 01/26/2015)
01/26/2015	124	STIPULATION for Substitution of Counsel for the Plaintiffs by The Institute of Neurological Recovery, Edward Lewis Tobinick, MD, Edward Tobinick, INR PLLC (Miller, Daniel) (Entered: 01/26/2015)
01/27/2015	125	NOTICE by Society for Science-Based Medicine, Inc. <i>Telephonic Appearance</i> (Polk, Edward) (Entered: 01/27/2015)
01/28/2015	126	ORDER of substitution of counsel for Plaintiffs. Signed by Judge Robin L. Rosenberg on 1/28/2015. (cgn) (Entered: 01/28/2015)
01/28/2015	127	PAPERLESS MINUTE ENTRY for proceedings held before Judge Robin L. Rosenberg: Status Conference held on 1/28/2015. Appearances: Plaintiff:Dan Miller, Esq; Mark Osherow, Esq; Dr.

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		Tobinick. Defense: Marc Randazza, Esq. and Edward Polk, Esq. (Telephonic), Motion for hearing on Preliminary Injunction Granted. Order setting hearing to follow. Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov (mno) (Entered: 01/28/2015)
01/29/2015	128	SCHEDULING ORDER re: hearing on 6 Plaintiffs' Verified Motion for Temporary and Preliminary Injunctive Relief. Signed by Judge Robin L. Rosenberg on 1/29/2015. (cgn) (Entered: 01/29/2015)
01/29/2015	129	PAPERLESS ORDER granting 62 Motion for Hearing. A hearing on 6 Plaintiffs' Verified Motion for Temporary and Preliminary Injunctive Relief will be set in accordance with the Court's 128 Scheduling Order. Signed by Judge Robin L. Rosenberg on 1/29/2015. (cgn) (Entered: 01/29/2015)
02/03/2015	130	NOTICE of Filing January 30, 2015 Notice Letter in Further Opposition to Motion to Dismiss Amended Complaint by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick re 120 Order, (Attachments: # 1 Exhibit) (Osherow, Mark) Modified text on 2/4/2015 (jua). (Entered: 02/03/2015)
02/04/2015	131	Initial Disclosure(s) of Witness Disclosure <i>for Hearing on Re: 6 Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law</i> filed by Edward Lewis Tobinick, MD, Edward Tobinick, INR PLLC by INR PLLC, The Institute of Neurological Recovery, Edward Lewis Tobinick, MD, Edward Tobinick (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit)(Osherow, Mark) (Entered: 02/04/2015)
02/04/2015	132	STIPULATION re 128 Order <i>Regarding Injunction Hearing</i> by INR PLLC, The Institute of Neurological Recovery, Edward Lewis Tobinick, MD, Edward Tobinick (Osherow, Mark) (Entered: 02/04/2015)
02/04/2015	133	Witness List <i>for Hearing on Plaintiff's Motion for Preliminary Injunction</i> by Society for Science-Based Medicine, Inc... (Polk, Edward) (Entered: 02/04/2015)
02/05/2015	134	Initial Disclosure(s) of Witnesses for Hearing on Plaintiff's Motion for Preliminary Injunction by Steven Novella (Randazza, Marc) (Entered: 02/05/2015)
02/05/2015	135	NOTICE by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick re 120 Order, <i>of Filing Supplemental Authority</i> (Attachments: # 1 Exhibit) (Osherow, Mark) (Entered: 02/05/2015)

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02/05/2015	136	NOTICE by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick re 120 Order, of Filing Supplemental Affidavit (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit, # 30 Exhibit, # 31 Exhibit, # 32 Exhibit, # 33 Exhibit) (Osherow, Mark) (Entered: 02/05/2015)
02/05/2015	137	Supplemental MOTION TO DISMISS 90 Reply to Response to Motion, 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement FOR FAILURE TO STATE A CLAIM and, MOTION for Summary Judgment by Society for Science-Based Medicine, Inc.. Responses due by 2/23/2015 (Polk, Edward) (Entered: 02/05/2015)
02/05/2015	138	NOTICE of Filing Affidavit of Mark Crislip by Society for Science-Based Medicine, Inc. re 137 Supplemental MOTION TO DISMISS 90 Reply to Response to Motion, 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement FOR FAILURE TO STA, 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement (Attachments: # 1 Affidavit of Mark Crislip, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit) (Polk, Edward) Modified text on 2/6/2015 (jua). (Entered: 02/05/2015)
02/05/2015	139	RESPONSE/REPLY to 24 Statement, of Undisputed Facts by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. (Osherow, Mark) (Entered: 02/05/2015)
02/05/2015	140	SUPPLEMENTAL MEMORANDUM in Support of 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement by Society for Science-Based Medicine, Inc. (See DE 137 for image)(jua) (Entered: 02/06/2015)
02/06/2015	141	Clerks Notice to Filer re 137 Supplemental MOTION TO DISMISS 90 Reply to Response to Motion, 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement FOR FAILURE TO STA. Wrong Event Selected; ERROR - The Filer

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		selected the wrong event. The document was re-docketed by the Clerk, see [de#140]. It is not necessary to refile this document. (jua) (Entered: 02/06/2015)
02/06/2015	142	PAPERLESS MINUTE ENTRY for proceedings held before Judge Robin L. Rosenberg: Motion Hearing held on 2/6/2015 re 74 MOTION TO DISMISS 55 Amended Complaint FOR FAILURE TO STATE A CLAIM MOTION for Summary Judgment MOTION for More Definite Statement filed by Society for Science-Based Medicine, Inc. Appearances: All counsel of record. Order to file. Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov (sjn) (Entered: 02/06/2015)
02/06/2015	143	PAPERLESS ORDER amending the Court's 128 SCHEDULING ORDER re: hearing on 6 Plaintiffs' Verified Motion for Temporary and Preliminary Injunctive Relief. The mediation deadline, which was previously set as April 1, 2015, shall now be March 18, 2015. Signed by Judge Robin L. Rosenberg on 2/6/2015. (cgn) (Entered: 02/06/2015)
02/06/2015	144	NOTICE by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick of <i>Clarification Regarding Plaintiffs' Argument at February 6, 2015 Hearing on Defendant, Society for Science-Based Medicine, Inc.'s Converted Motion for Summary Judgment (DE 74)</i> (Miller, Daniel) (Entered: 02/06/2015)
02/10/2015	145	Initial Disclosure(s) of Amended Witness Disclosure Re: 131 Initial Disclosure(s), filed by Edward Lewis Tobinick, MD, Edward Tobinick, INR PLLC, The Institute of Neurological Recovery by INR PLLC, The Institute of Neurological Recovery, Edward Lewis Tobinick, MD, Edward Tobinick (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit)(Osherow, Mark) (Entered: 02/10/2015)
02/12/2015	146	ORDER Setting Hearing on Motion 6 Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law : Motion Hearing set for 3/23/2015 09:30 AM in West Palm Beach Division before Judge Robin L. Rosenberg. Two (2) days are allotted for the hearing. Signed by Judge Robin L. Rosenberg on 2/12/2015. (cgn) (Entered: 02/12/2015)
02/20/2015	147	Initial Disclosure(s) of Witnesses for Hearing on Plaintiff's Motion for Preliminary Injunction Supplemental Disclosures by Steven Novella (Attachments: # 1 Exhibit)(Randazza, Marc) (Entered: 02/20/2015)
02/24/2015	148	STIPULATION for Substitution of Counsel by Edward Lewis Tobinick, MD (Cahen, Geoffrey) (Entered: 02/24/2015)

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02/24/2015		Attorney Mark R. Osherow; Andrew H. Marks and Daniel A. Miller terminated per DE 148 . (jua) (Entered: 02/25/2015)
02/26/2015	149	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Jarod Bona. Filing Fee \$ 75.00. Receipt # 3406. (ksa) (Entered: 02/26/2015)
02/26/2015	150	ENDORSED ORDER granting 149 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. The Clerk shall provide electronic notification of all electronic filings to Jarod Bona, co-counsel for Plaintiff, at jarod.bona@bonalawpc.com. Signed by U.S. Magistrate Judge Dave Lee Brannon on 2/26/2015. (js00) (Entered: 02/26/2015)
03/04/2015	151	MOTION to Continue <i>Hearing</i> by Steven Novella. Responses due by 3/23/2015 (Randazza, Marc) (Entered: 03/04/2015)
03/05/2015	152	ORDER granting in part and denying in part 151 Motion to Continue Hearing on 6 Plaintiff's MOTION for Preliminary Injunction and <i>Temporary Relief and Incorporated Memorandum of Law</i> filed by Edward Lewis Tobinick, MD, Edward Tobinick, INR PLLC. Motion Hearing reset for 3/30/2015 09:30 AM in West Palm Beach Division before Judge Robin L. Rosenberg. Signed by Judge Robin L. Rosenberg on 3/5/2015. (cgn) (Entered: 03/05/2015)
03/06/2015	153	FINAL MEDIATION REPORT by Sanford Lewis Bohrer, Esq. Disposition: Case did not settle.(Cahen, Geoffrey) (Entered: 03/06/2015)
03/10/2015	154	FINAL MEDIATION REPORT by Sanford Bohrer. Disposition: Case did not settle.(Bohrer, Sanford) (Entered: 03/10/2015)
03/11/2015	155	PAPERLESS ORDER. In anticipation of the hearing scheduled for March 30-31, 2015, on 6 Plaintiff's MOTION for Preliminary Injunction and Temporary Relief, the parties are required to submit proposed findings of fact and conclusions of law to the court. They should be emailed in Word format to Rosenberg@flsd.uscourts.gov no later than noon on Friday, March 27, 2015. Signed by Judge Robin L. Rosenberg on 3/11/2015. (cgn) (Entered: 03/11/2015)
03/12/2015	156	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Aaron R. Gott. Filing Fee \$ 75.00. Receipt # 75.00. (ksa) (Entered: 03/12/2015)
03/16/2015	157	ORDER granting in part 74 Converted Motion for Summary Judgment. The Clerk of Court is Directed to Terminate the Society for

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Science-Based Medicine, Inc. from the Instant Suit. Signed by Judge Robin L. Rosenberg on 3/16/2015. (jua) (Entered: 03/16/2015)

03/18/2015	158	ENDORSED ORDER granting 156 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. The Clerk shall provide electronic notification of all electronic filings to Aaron R. Gott, co-counsel for Plaintiffs, at aaron.gott@bonalawpc.com. Signed by U.S. Magistrate Judge Dave Lee Brannon on 3/18/2015. (js00) (Entered: 03/18/2015)
03/24/2015	159	MOTION for Leave to File <i>Rebuttal Report</i> by Steven Novella. (Attachments: # 1 Exhibit)(Randazza, Marc) (Entered: 03/24/2015)
03/24/2015	160	MOTION to Exclude Testimony of Defendant Novella's Expert Witnesses by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. (Cahen, Geoffrey) Modified text on 3/25/2015 (jua). (Entered: 03/24/2015)
03/25/2015	161	NOTICE by Steven Novella re 159 MOTION for Leave to File <i>Rebuttal Report Notice of Correction</i> (Randazza, Marc) (Entered: 03/25/2015)
03/25/2015	162	RESPONSE in Opposition re 159 MOTION for Leave to File <i>Rebuttal Report</i> filed by Edward Lewis Tobinick, MD, INR PLLC, Edward Tobinick. Replies due by 4/6/2015. (Attachments: # 1 Exhibit A) (Cahen, Geoffrey) (Entered: 03/25/2015)
03/25/2015	163	RESPONSE in Opposition re 160 MOTION in Limine to Exclude Testimony of Defendant Novella's Expert Witnesses filed by Steven Novella. Replies due by 4/6/2015. (Randazza, Marc) (Entered: 03/25/2015)
03/25/2015	164	MOTION in Limine to Exclude Expert Witnesses by Steven Novella. (Randazza, Marc) (Entered: 03/25/2015)
03/25/2015	165	REPLY in Support re 159 MOTION for Leave to File <i>Rebuttal Report</i> filed by Steven Novella. (Randazza, Marc) Modified text on 3/26/2015 (jua). (Entered: 03/25/2015)
03/26/2015	166	PAPERLESS ORDER denying Defendant Novella's 159 MOTION for Leave to File Rebuttal Report and granting Plaintiffs' 160 MOTION to Exclude Testimony of Defendant Novella's Expert Witnesses. The Court's prior 128 Order was clear and unambiguous and did not provide for rebuttal experts. Thus, Dr. Page cannot testify at the hearing. Additionally, and as Defendant Novella has conceded, he failed to comply with the deadlines associated with expert witnesses, such that none of his witnesses may testify as experts at the hearing.

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Signed by Judge Robin L. Rosenberg on 3/26/2015. (cgn) (Entered: 03/26/2015)

03/26/2015	167	PAPERLESS ORDER denying without prejudice Defendant Novella's <u>164</u> MOTION in Limine to Exclude Expert Witnesses. The Court is mindful of the legal principles governing the admissibility of expert testimony under Fed. R. Civ. P. 702. Defendant Novella can argue his position with respect to the admissibility of expert testimony to the Court at the time of the hearing, without any prejudice that otherwise may exist if this case was tried before a jury. The Court may determine that such objections may be better presented through cross-examination of the witnesses rather than exclusion of the witnesses and/or expert opinions. At the hearing, the Court will determine what weight to give the testimony, including but not limited to determining whether the testimony should be considered that of a fact witness or an expert witness. To the extent the Court allows the witnesses to testify as experts, the Court will consider all argument of counsel regarding the admissibility of any expert testimony and/or opinions of expert witnesses at that time as well. Signed by Judge Robin L. Rosenberg on 3/26/2015. (cgn) (Entered: 03/26/2015)
03/30/2015	168	PAPERLESS MINUTE ENTRY for Motion Hearing held on 3/30/2015, Day 1 re <u>6</u> Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law filed by Edward Lewis Tobinick, MD, Edward Tobinick, INR PLLC. Appearances: Plaintiff: Jarod Bona, Esq., Aaron Gott, Esq., Geoffrey Cahen, Esq.; Defendant: Marc Randazza, Esq. Theresa Barr, Esq. Witnesses: Vivian Topp, Dr. Steven Best, Dr. Tracy Ignatowski, Dr. Edward Tobinick (sworn and testified). Motion Hearing as to <u>6</u> Plaintiff's MOTION for Preliminary Injunction and Temporary Relief and Incorporated Memorandum of Law will resume tomorrow Tuesday 3/31/2015 at 9:00 AM in West Palm Beach Division before Judge Robin L. Rosenberg. Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov (sjn) (Entered: 03/30/2015)
03/30/2015	<u>170</u>	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Theresa M. Haar. Filing Fee \$ 75.00. Receipt # 3685. (ksa) (Entered: 04/01/2015)
03/31/2015	169	PAPERLESS MINUTE ORDER for proceedings held before Judge Robin L. Rosenberg. Evidentiary Hearing held on 3/31/2015, Day 2. Appearances: Plaintiff: Jarod Bona, Esq., Aaron Gott, Esq., Geoffrey Cahen, Esq.; Defendant: Marc Randazza, Esq. Theresa Barr, Esq. Witnesses: Dr. Edward Tobinick and Dr. Steven Novella (sworn and testified). Closing arguments presented to the Court. Court Denies DE

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		<p><u>6</u> Motion for Preliminary Injunction for the reasons stated on the record, detailed order to follow. Motions terminated: <u>6</u> Plaintiff's MOTION for Preliminary Injunction <i>and Temporary Relief and Incorporated Memorandum of Law</i> filed by Edward Lewis Tobinick, MD, Edward Tobinick, INR PLLC. Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov (sjn) (Entered: 03/31/2015)</p>
04/02/2015	171	<p>ENDORSED ORDER granting <u>170</u> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. The Clerk shall provide electronic notification of all electronic filings to Theresa M. Haar, co-counsel for Defendant Steven Novella, at tmh@randazza.com. Signed by U.S. Magistrate Judge Dave Lee Brannon on 4/2/2015. (js00) (Entered: 04/02/2015)</p>
04/02/2015	<u>172</u>	<p>MEMORANDUM OPINION AND ORDER on <u>6</u> Plaintiff's MOTION for Preliminary Injunction <i>and Temporary Relief and Incorporated Memorandum of Law</i> filed by Edward Lewis Tobinick, MD, Edward Tobinick, INR PLLC. The Motion is DENIED. Signed by Judge Robin L. Rosenberg on 4/2/2015. (cgn) (Entered: 04/02/2015)</p>
05/11/2015	<u>173</u>	<p>MOTION for Leave to File Second Amended Complaint re <u>55</u> Amended Complaint by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Responses due by 5/29/2015 (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N)(Cahen, Geoffrey) Modified text on 5/12/2015 (jua). (Entered: 05/11/2015)</p>
05/12/2015	<u>174</u>	<p>NOTICE of Good Faith Conference <i>With S.D. Fla. L.R. 7.1(a)(3)</i> by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick re <u>173</u> MOTION to Amend/Correct <u>55</u> Amended Complaint filed by Edward Lewis Tobinick, MD, Edward Tobinick, INR PLLC, The Institute of Neurological Recovery (Cahen, Geoffrey) Modified text on 5/14/2015 (jua). (Entered: 05/12/2015)</p>
05/13/2015	<u>175</u>	<p>MOTION for Sanctions <i>under 28 U.S.C. §1927</i> by Steven Novella. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Randazza, Marc) (Entered: 05/13/2015)</p>
05/15/2015	<u>176</u>	<p>Defendant's MOTION for Attorney Fees <i>and Costs</i> by Society for Science-Based Medicine, Inc.. Responses due by 6/1/2015 (Attachments: # <u>1</u> Exhibit Billing document, # <u>2</u> Exhibit Billing document, # <u>3</u> Exhibit Billing document, # <u>4</u> Exhibit Billing</p>

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		document, # 5 Exhibit Billing document, # 6 Exhibit Billing document)(Polk, Edward) (Entered: 05/15/2015)
05/15/2015	177	Corrected MOTION to Amend/Correct 55 Amended Complaint, 173 Motion for Leave to File <i>Second Amended Complaint</i> by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Responses due by 6/1/2015 (Attachments: # 1 Exhibit, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Exhibit L, # 14 Exhibit M, # 15 Exhibit N)(Cahen, Geoffrey) (Entered: 05/15/2015)
05/19/2015	178	MOTION for Extension of Time to file responsive pleading by Steven Novella. Responses due by 6/5/2015 (Randazza, Marc) Modified relief on 5/19/2015 (jua). (Entered: 05/19/2015)
05/19/2015	179	MOTION for Clerks Entry of Default as to Steven Novella by INR PLLC, The Institute of Neurological Recovery, Edward Lewis Tobinick, MD, Edward Tobinick. (Cahen, Geoffrey) (Entered: 05/19/2015)
05/19/2015	180	ORDER by Clerk of Non-Entry of Default re 179 Motion for Clerks Entry of Default as to Steven Novella. Reason: Responsive pleading (i.e. Motion for Extention of Time to File Answer to Complaint, Motion to Dismiss Complaint, etc) has been filed. Signed by DEPUTY CLERK on 5/19/2015. (jua) (Entered: 05/19/2015)
05/20/2015	181	PAPERLESS ORDER granting 178 Motion for Extension of Time to File Response. Defendant Novella's response is due 14 days after the Court decides the pending 177 Corrected MOTION for Leave to File Second Amended Complaint. Signed by Judge Robin L. Rosenberg on 5/20/2015. (cgn) (Entered: 05/20/2015)
05/20/2015	182	PAPERLESS ORDER denying as moot the 173 Motion for Leave to File an Amended Complaint in light of the filing of the 177 Corrected Motion. Signed by Judge Robin L. Rosenberg on 5/20/2015. (cgn) (Entered: 05/20/2015)
05/22/2015	183	NOTICE by Steven Novella <i>Notice of Change of Counsel</i> (Randazza, Marc) (Entered: 05/22/2015)
05/22/2015		Attorney Theresa M. Haar terminated. Notice of Termination delivered by US Mail to Theresa Haar. (ls) (per DE # 183) (Entered: 05/26/2015)
05/27/2015	184	RESPONSE in Opposition re 175 MOTION for Sanctions <i>under 28 U.S.C. §1927</i> filed by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery. Replies due by 6/8/2015.

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		(Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Cahen, Geoffrey) (Entered: 05/27/2015)
05/30/2015	185	MOTION for Extension of Time to File Response/Reply/Answer as to 176 Defendant's MOTION for Attorney Fees <i>and Costs</i> by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. (Cahen, Geoffrey) (Entered: 05/30/2015)
06/01/2015	186	MOTION for Extension of Time to File Response/Reply/Answer <i>Plaintiff's Corrected Motion for Leave to File Second Amended Complaint</i> by Steven Novella. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Motion for Extension of Time) (Randazza, Marc) (Entered: 06/01/2015)
06/01/2015	187	MOTION for Extension of Time to File Response/Reply/Answer by Steven Novella. (Randazza, Marc) (Entered: 06/01/2015)
06/02/2015	188	RESPONSE in Opposition re 177 Corrected MOTION to Amend/Correct 55 Amended Complaint, 173 Motion for Leave to File <i>Second Amended Complaint</i> filed by Steven Novella. Replies due by 6/12/2015. (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2) (Randazza, Marc) (Entered: 06/02/2015)
06/02/2015	189	WITHDRAWAL of Motion by Steven Novella re 187 MOTION for Extension of Time to File Response/Reply/Answer filed by Steven Novella, 186 MOTION for Extension of Time to File Response/Reply/Answer <i>Plaintiff's Corrected Motion for Leave to File Second Amended Complaint</i> filed by Steven Novella (Randazza, Marc) (Entered: 06/02/2015)
06/02/2015	190	ORDER denying without prejudice 175 Motion for Sanctions. Signed by Judge Robin L. Rosenberg on 6/2/2015. (cgn) (Entered: 06/02/2015)
06/02/2015	191	PAPERLESS ORDER granting in part and denying in part 185 Motion for Extension of Time to File Response/Reply to 176 Defendant's MOTION for Attorney Fees <i>and Costs</i> filed by Society for Science-Based Medicine, Inc. Plaintiffs' Response is due by 6/8/2015. Defendant Society's Reply is due by 6/25/2015. Signed by Judge Robin L. Rosenberg on 6/2/2015. (cgn) (Entered: 06/02/2015)
06/03/2015	192	Joint MOTION to Modify Briefing Schedule re 110 Scheduling Order, Set/Reset Deadlines/Hearings,, by Steven Novella. (Randazza, Marc) (Entered: 06/03/2015)
06/04/2015	193	ORDER granting 93 Special Motion to Strike (Anti-SLAPP Motion). Signed by Judge Robin L. Rosenberg on 6/4/2015. (cgn) (Entered: 06/04/2015)

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06/05/2015	194	Joint MOTION to Stay <i>Proceedings and for Status Conference</i> by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Responses due by 6/22/2015 (Cahen, Geoffrey). Added MOTION for Hearing on 6/8/2015 (jua). (Entered: 06/05/2015)
06/08/2015	195	Clerks Notice to Filer re 194 Joint MOTION to Stay <i>Proceedings and for Status Conference</i> . Motion with Multiple Reliefs Filed as One Relief ; ERROR - The Filer selected only one relief event and failed to select the additional corresponding events for each relief requested in the motion. The docket entry was corrected by the Clerk. It is not necessary to refile this document but future filings must comply with the instructions in the CM/ECF Attorney User's Manual. (jua) (Entered: 06/08/2015)
06/08/2015	196	PAPERLESS ORDER granting the 194 Joint MOTION to Stay Proceedings and for Status Conference. The case is stayed for 10 days, except with respect to 176 Defendant's MOTION for Attorney Fees and Costs. Status Conference set for 6/18/2015 11:00 AM in West Palm Beach Division before Judge Robin L. Rosenberg. Thirty (30) minutes are scheduled for the status conference. Signed by Judge Robin L. Rosenberg on 6/8/2015. (cgn) (Entered: 06/08/2015)
06/08/2015	197	RESPONSE in Opposition re 176 Defendant's MOTION for Attorney Fees and Costs filed by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Replies due by 6/18/2015. (Attachments: # 1 Exhibit A)(Cahen, Geoffrey) (Entered: 06/08/2015)
06/15/2015	198	AMENDED PAPERLESS ORDER SETTING STATUS CONFERENCE. Status Conference set for 6/18/2015 11:00 AM in West Palm Beach Division before Judge Robin L. Rosenberg. Thirty (30) minutes are scheduled for the status conference. Counsel may appear via telephone but must file a notice of telephonic appearance at least one (1) day prior to the hearing. Please call five (5) minutes prior to the hearing. Toll-Free Number: 1(877)873-8018. Access Code: 9890482. Security Code: 4008. Signed by Judge Robin L. Rosenberg on 6/15/2015. (cgn) (Entered: 06/15/2015)
06/16/2015	199	NOTICE by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick re 198 Order,, <i>Of Telephonic Appearance</i> (Cahen, Geoffrey) (Entered: 06/16/2015)
06/16/2015	200	NOTICE by Steven Novella re 198 Order,, <i>Notice of Telephonic Appearance</i> (Randazza, Marc) (Entered: 06/16/2015)
06/18/2015	201	PAPERLESS MINUTE ENTRY for proceedings held before Judge Robin L. Rosenberg: Status Conference held on 6/18/2015.

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		Appearances: All counsel of record. Order to follow. Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov (sjn) (Entered: 06/18/2015)
06/18/2015	202	ORDER denying 177 Corrected MOTION to Amend/Correct 55 Amended Complaint; denying 192 Joint MOTION to Modify Briefing Schedule; and setting deadlines. Signed by Judge Robin L. Rosenberg on 6/18/2015. (cgn) (Entered: 06/18/2015)
06/18/2015		Reset Answer Due Deadline per DE 202 : Steven Novella response due 6/25/2015. (jua) (Entered: 06/19/2015)
06/24/2015	203	REPLY to Response to Motion re 176 Defendant's MOTION for Attorney Fees and Costs filed by Society for Science-Based Medicine, Inc.. (Polk, Edward) (Entered: 06/24/2015)
06/25/2015	204	ANSWER and Affirmative Defenses to Amended Complaint by Steven Novella. (Randazza, Marc) (Entered: 06/25/2015)
06/26/2015	205	MOTION for Sanctions by Steven Novella. (Attachments: # 1 Exhibit 1 - Letter Enclosing Draft Motion to Bona, # 2 Exhibit 2 - ECF 157 - Order RE MSJ, # 3 Exhibit 3 - ECF 172 - Order RE Preliminary Injunction)(Randazza, Marc) (Entered: 06/26/2015)
06/26/2015	206	MOTION for Summary Judgment by Steven Novella. Responses due by 7/13/2015 (Attachments: # 1 Exhibit 1 - March 31, 2015 Excerpted Transcript, # 2 Exhibit 2 - Tobinick Witness Disclosure, # 3 Exhibit 3 - NYT Appendix, # 4 Exhibit 4 - Shepard Declaration, # 5 Exhibit 5 - Amgen Statement, # 6 Exhibit 6 - AMA Opinion, # 7 Exhibit 7 - AAOS Article, # 8 Exhibit 8 - March 30, 2015 Excerpted Transcript, # 9 Exhibit 9 - NewsOk.com Article)(Randazza, Marc) (Entered: 06/26/2015)
07/01/2015	207	ORDER Setting Hearing on Motion 206 MOTION for Summary Judgment : Motion Hearing is set for 7/15/2015 at 2:30 PM in West Palm Beach Division before Judge Robin L. Rosenberg. The Court has set aside thirty (30) minutes for the hearing. Counsel may appear via telephone but must file a notice of telephonic appearance at least one (1) day prior to the hearing. Instructions for Tele Conference, please call five (5) minutes prior to the hearing. Toll-Free Number: 1(877)873-8018, Access Code: 9890482, Security Code (4008). Signed by Judge Robin L. Rosenberg on 7/1/2015. (sjn) (Entered: 07/01/2015)
07/01/2015	208	Defendant's MOTION to Continue <i>Hearing Date</i> by Steven Novella. Responses due by 7/20/2015 (Randazza, Marc) (Entered: 07/01/2015)
07/06/2015	209	MOTION For Relief Pursuant to Fed. R. Civ. P. 56(d) re 206

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		MOTION for Summary Judgment by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Cahen, Geoffrey) (Entered: 07/06/2015)
07/07/2015	210	MOTION for Extension of Time to File Response/Reply/Answer as to 205 MOTION for Sanctions by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Cahen, Geoffrey) (Entered: 07/07/2015)
07/07/2015	211	MOTION for Extension of Time to File Response/Reply/Answer as to 206 MOTION for Summary Judgment by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. (Attachments: # 1 Exhibit A)(Cahen, Geoffrey) (Entered: 07/07/2015)
07/08/2015	212	<p>PAPERLESS OMNIBUS ORDER. The 205 MOTION for Sanctions by Steven Novella is denied without prejudice, as the Court believes that the issues raised therein would be more suitably decided after the conclusion of the case. Plaintiffs' 210 MOTION for Extension of Time to File Response/Reply/Answer as to 205 MOTION for Sanctions is therefore denied as moot.</p> <p>Plaintiffs' 209 MOTION For Relief Pursuant to Fed. R. Civ. P. 56(d) is granted, insofar as the following: (1) the Court will defer ruling on the 206 MOTION for Summary Judgment by Steven Novella; (2) discovery, including written and expert discovery, will continue until August 3, 2015; (3) accordingly, Defendant Novella must respond to Plaintiffs' written discovery requests within fifteen (15) days of their service as contemplated at the status conference, unless he believes that doing so would contravene the Federal or Local Rules; (4) the discovery deadline is extended until August 17, 2015 only for the deposition of Jay Novella, see DE 209 Ex. 1 para. 5; (5) the 206 MOTION for Summary Judgment by Steven Novella will be deemed filed on August 17, 2015, and Plaintiffs will have the time contemplated by the Federal and Local Rules to respond to it.</p> <p>In line with this ruling, 208 Defendant's MOTION to Continue Hearing Date is granted and Plaintiffs' 211 MOTION for Extension of Time to File Response/Reply/Answer as to 206 MOTION for Summary Judgment is denied as moot. The Court will reset the hearing on the summary judgment motion by separate order. Signed by Judge Robin L. Rosenberg on 7/8/2015. (cgn) (Entered: 07/08/2015)</p>
07/14/2015	213	MOTION to Extend Deadline for Expert Depositions by Steven

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		Novella. (Attachments: # 1 Exhibit 1 - Email from John Rennie, # 2 Exhibit 2 - Email from Jenn Mackay, # 3 Exhibit 3 - Email from Stephen Page)(Randazza, Marc) (Entered: 07/14/2015)
07/14/2015	214	Defendant's MOTION Withdraw and Refile Motion for Summary Judgment or, in the Alternative, For Leave to File a Supplemental Memorandum re 206 MOTION for Summary Judgment by Steven Novella. (Randazza, Marc) (Entered: 07/14/2015)
07/15/2015	215	PAPERLESS ORDER granting the 213 MOTION to Extend Deadline for Expert Depositions and the 214 Defendant's MOTION to Withdraw and Refile Motion for Summary Judgment. Defendant may withdraw his motion for summary judgment. Expert discovery is extended until August 18, 2015. No rebuttal experts will be allowed. The deadline for dispositive motions is extended to August 25, 2015. Signed by Judge Robin L. Rosenberg on 7/15/2015. (cgn) (Entered: 07/15/2015)
07/21/2015	216	NOTICE of Attorney Appearance by Jason Allan Fischer on behalf of Steven Novella. Attorney Jason Allan Fischer added to party Steven Novella(pty:dft). (Fischer, Jason) (Entered: 07/21/2015)
07/23/2015	217	Defendant's MOTION for Extension of Time to File Motion for Protective Order by Steven Novella. Responses due by 8/10/2015 (Randazza, Marc) (Entered: 07/23/2015)
07/24/2015	220	MOTION to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Jay Marshall Wolman. Filing Fee \$ 75.00. Receipt # 2-914. (ksa) (Entered: 07/28/2015)
07/27/2015	218	NOTICE by Yale University <i>Of Request For Removal From Service List And Request To Stop Electronic Service</i> (Freedman, Kimberly) (Entered: 07/27/2015)
07/27/2015	219	Defendant's MOTION for Protective Order by Steven Novella. (Attachments: # 1 Exhibit 1 - Response to 1st RPDs, # 2 Exhibit 2 - Response to 1st RFAs, # 3 Exhibit 3 - Response to 1st Rogs, # 4 Exhibit 4 - SGU Notice of Subpoena for Documents, # 5 Exhibit 5 - Randazza Declaration)(Randazza, Marc) (Entered: 07/27/2015)
07/29/2015	221	ORDER granting 220 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing. Signed by Judge Robin L. Rosenberg on 7/29/2015. (jua) (Entered: 07/30/2015)
07/30/2015		Attorney Kimberly Jordan Freedman terminated. (nkl) (Entered: 07/30/2015)

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08/04/2015	222	ENDORSED ORDER SETTING DISCOVERY HEARING: Upon notice by Defendant's counsel of a discovery dispute requiring Court intervention, a discovery hearing is set for 2:00 p.m. on Thursday, August 6, 2015, 4th Floor, Courtroom 3 in West Palm Beach Division. Signed by U.S. Magistrate Judge Dave Lee Brannon on 8/4/2015. (js00) (Entered: 08/04/2015)
08/04/2015	<u>223</u>	MOTION for Telephonic Appearance re 222 Endorsed Order, Set/Reset Hearings,, by Steven Novella. (Randazza, Marc) (Entered: 08/04/2015)
08/04/2015	224	ENDORSED ORDER granting <u>223</u> Motion for Telephonic Appearance. Counsel for Defendant, Steven Novella, may appear telephonically at the discovery hearing on August 6, 2015 at 2:00 p.m. Defendant's counsel shall forthwith provide the Court (brannon@flsd.uscourts.gov) with a dial-in conference call number. Signed by U.S. Magistrate Judge Dave Lee Brannon on 8/4/2015. (js00) (Entered: 08/04/2015)
08/06/2015	<u>225</u>	MOTION for Leave to Appear <i>Telephonically at Discovery Hearing</i> . Attorney: <i>Jarod Bona, Esq.</i> by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Responses due by 8/24/2015 (Cahen, Geoffrey) (Entered: 08/06/2015)
08/06/2015	226	ENDORSED ORDER granting <u>225</u> Motion for Telephonic Appearance. Counsel for Plaintiff, Jarod Bona, may appear telephonically at the discovery hearing at 2:00 p.m. EST on August 6, 2015. Mr. Bona shall use the conference phone number provided by Defendant's counsel. Signed by U.S. Magistrate Judge Dave Lee Brannon on 8/6/2015. (js00) (Entered: 08/06/2015)
08/06/2015	<u>227</u>	ORDER denying <u>176</u> Motion for Attorney Fees. Signed by Judge Robin L. Rosenberg on 8/6/2015. (cgn) (Entered: 08/06/2015)
08/06/2015	228	Minute Entry for proceedings held before U.S. Magistrate Judge Dave Lee Brannon: Discovery Hearing held on 8/6/2015. Plaintiff, Edward Lewis Tobinick, present with his counsel, Geoffrey Cahen and Aaron Gott. Jay Wolman present for Defendant. Written order memorializing court rulings to follow. (Digital/Time in Court: 14:03:31/ 51 mins.) (js00) (Entered: 08/06/2015)
08/07/2015	<u>229</u>	ORDER MEMORIALIZING COURT RULINGS AT DISCOVERY HEARING.Denying as Moot <u>217</u> Motion for Extension of Time to file Motion for Protective Order; Granting in Part and Denying in Part <u>219</u> Motion for Protective Order. Signed by Magistrate Judge Dave Lee Brannon on 8/7/2015. (sa) (Entered: 08/07/2015)
08/07/2015	<u>230</u>	NOTICE Regarding Search Terms by Steven Novella re <u>229</u> Order on

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		Motion for Extension of Time, Order on Motion for Protective Order, (Randazza, Marc) Modified text on 8/7/2015 (jua). (Entered: 08/07/2015)
08/11/2015	231	NOTICE by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick <i>Notice of inability to serve Witness Jay Novella with Subpoena for Deposition and Production of Documents</i> (Cahen, Geoffrey) (Entered: 08/11/2015)
08/14/2015	232	ORDER SETTING DISCOVERY HEARING: Upon notice by Plaintiffs' counsel of a discovery dispute requiring Court intervention, a discovery hearing is set for 4:00 P.M. on Monday, August 17, 2015, 4th Floor, Courtroom 3 in West Palm Beach Division. Signed by U.S. Magistrate Judge Dave Lee Brannon on 8/14/2015. (jrz) (Entered: 08/14/2015)
08/17/2015	233	MOTION for Leave to Appear <i>Telephonically</i> . Attorney: <i>Jarod Bona</i> by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Responses due by 9/3/2015 (Cahen, Geoffrey) (Entered: 08/17/2015)
08/17/2015	234	ENDORSED ORDER granting 233 Motion for Telephonic Appearance. Attorney Jarod Bona may appear telephonically at the Discovery Hearing at 4:00 p.m. EST on August 17, 2015. Plaintiff's counsel shall forthwith provide the Court (brannon@flsd.uscourts.gov) with a dial-in conference call number. Signed by U.S. Magistrate Judge Dave Lee Brannon on 8/17/2015. (js00) (Entered: 08/17/2015)
08/17/2015	235	MOTION for Telephonic Appearance re 232 Endorsed Order, Set/Reset Hearings,, by Steven Novella. (Randazza, Marc) (Entered: 08/17/2015)
08/17/2015	236	ENDORSED ORDER granting 235 Motion for Telephonic Appearance. Defendant's counsel may appear at the Discovery Hearing on August 17, 2015 by telephone. Defense counsel shall use the conference phone number provided by Plaintiff's counsel. The Court appreciates that the parties are in the process of attempting to resolve the outstanding discovery issues without the need for Court intervention. Counsel shall contact chambers before the start of the hearing if the parties come to a resolution on these issues. Signed by U.S. Magistrate Judge Dave Lee Brannon on 8/17/2015. (js00) (Entered: 08/17/2015)
08/17/2015	237	Minute Entry for proceedings held before U.S. Magistrate Judge Dave Lee Brannon: Discovery Hearing held on 8/17/2015. Plaintiff, Edward Lewis Tobinick, present with his counsel, Geoffrey Cahen and Jarod Bona. Jay Wolman and Marc Randazza present for Defendant. Denise Savage present for third party, Jay Novella. Written order

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		memorializing court rulings to follow. (Digital/Time in Court: 16:05:57/ 41 mins.) (js00) (Entered: 08/17/2015)
08/17/2015	238	MOTION in Limine to Preclude Plaintiffs' Experts by Steven Novella. (Attachments: # 1 Exhibit 1 - Tobinick Witness Disclosure, # 2 Exhibit 2 - Glassman Expert Report, # 3 Exhibit 3 - Expert Report Vivian H. Topp, # 4 Exhibit 4 - Updated Topp Expert Report, # 5 Exhibit 5 - Page - Expert Report, # 6 Exhibit 6 - Butchart Article, # 7 Exhibit 7 - Prelim. Inj. Hearing Transcript Part 1, # 8 Exhibit 8 - Best Expert Report, # 9 Exhibit 9 - American Academy of Neurology Code of Professional Conduct, # 10 Exhibit 10 - Feb 2015 Ignatowski Expert Report, # 11 Exhibit 11 - Ignatowski Trial Expert Report, # 12 Exhibit 12 - Ignatowksi et al Author's Reply to Whitlock, # 13 Exhibit 13 - Declaration of Marc J Randazza, # 14 Exhibit 14 - Osinoff Expert Report, # 15 Exhibit 15 - CA Board of Medicine Second Amended Accusation, # 16 Exhibit 16 - Cass Expert Report, # 17 Exhibit 17 - Twomey CV, # 18 Exhibit 18 - Twomey Report, # 19 Exhibit 19 - Twomey - Frostbite Study)(Randazza, Marc) (Entered: 08/17/2015)
08/18/2015	239	ORDER Memorializing Court Rulings at Discovery Hearing. Signed by Magistrate Judge Dave Lee Brannon on 8/18/2015. (asl) (Entered: 08/18/2015)
08/18/2015	240	EMERGENCY MOTION for Protective Order by Steven Novella. (Attachments: # 1 Exhibit 1 - Proposed Standing Protective Order) (Randazza, Marc) Modified text on 8/19/2015 (jua). (Entered: 08/18/2015)
08/18/2015	241	Second MOTION for Leave to File Supplemental Complaint by INR PLLC, Edward Tobinick. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Cahen, Geoffrey) (Entered: 08/18/2015)
08/18/2015	242	Clerks Notice to Filer re 240 MOTION for Protective Order . Emergency Document Filed Electronically; ERROR - Emergency matters may not be filed electronically, they must be filed in the conventional paper format in the division where the judge is chambered. The Clerk contacted Chambers and corrected the docket text to indicate the document is an emergency matter. It is not necessary to refile this document but future filings must comply with the CM/ECF Administrative Procedures and Local Rules. (jua) (Entered: 08/19/2015)
08/18/2015	243	ORDER granting 240 Emergency Motion for Protective Order. Signed by Magistrate Judge Dave Lee Brannon on 8/18/2015. (jua) (Entered: 08/19/2015)
08/19/2015	244	Consent MOTION for Status Conference by Steven Novella. (Randazza, Marc) (Entered: 08/19/2015)

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08/20/2015	245	PAPERLESS ORDER denying 241 Motion for Leave to File for all of the reasons previously stated on the record at the Court's Status Conference on June 18, 2015, as well as the timing of the Motion in relation to the dispositive motion deadline, which is imminent, and trial, which is two months hence. Signed by Judge Robin L. Rosenberg on 8/20/2015. (bkd) (Entered: 08/20/2015)
08/20/2015	246	PAPERLESS ORDER denying as moot 244 Motion for Conference in light of docket entry 245. Signed by Judge Robin L. Rosenberg on 8/20/2015. (bkd) (Entered: 08/20/2015)
08/21/2015	247	NOTICE of Attorney Appearance by Cullin Avram O'Brien on behalf of Edward Lewis Tobinick, MD. Attorney Cullin Avram O'Brien added to party Edward Lewis Tobinick, MD(pty:pla). (O'Brien, Cullin) (Entered: 08/21/2015)
08/21/2015	248	ORDER SETTING TELEPHONIC DISCOVERY HEARING: Upon notice by Plaintiff's counsel of a discovery dispute requiring Court intervention, a telephonic discovery hearing is set for 4:15 P.M. on Monday, August 24, 2015, 4th Floor, Courtroom 3 in West Palm Beach Division. Plaintiff's counsel shall forthwith provide the Court (brannon@flsd.uscourts.gov) and opposing counsel with a dial-in conference call number. Signed by U.S. Magistrate Judge Dave Lee Brannon on 8/21/2015. (js00) (Entered: 08/21/2015)
08/24/2015	249	Minute Entry for proceedings held before U.S. Magistrate Judge Dave Lee Brannon: Discovery Hearing held on 8/24/2015. Plaintiff, Edward Lewis Tobinick, present with his counsel, Cullin O'Brien, along with Geoffrey Cahen, Aaron Gott, and Jarod Bona. Jay Wolman present for Defendant. Written order memorializing court rulings to follow. (Digital/Time in Court: 16:13:46/ 32 mins.) (js00) (Entered: 08/24/2015)
08/25/2015	250	ORDER Memorializing Court Rulings at Discovery Hearing. Signed by Magistrate Judge Dave Lee Brannon on 8/25/2015. (jua) (Entered: 08/25/2015)
08/25/2015	251	Renewed MOTION for Summary Judgment by Steven Novella. Responses due by 9/11/2015 (Attachments: # 1 Exhibit 1 - Tx of Prelim Inj Hrg March 31, # 2 Exhibit 2 - Defense Exhibit 82 (AMA Opinion), # 3 Exhibit 3 - Defense Exhibit 83 (AAOS Article), # 4 Exhibit 4 - Rennie Expert Report, # 5 Exhibit 5 - Rennie Depo Tx, # 6 Exhibit 6 - Mackay Expert Report, # 7 Exhibit 7 - NYT Appendix, # 8 Exhibit 8 - Plaintiff's Rule 26 Disclosures, # 9 Exhibit 9 - Page Depo Tx, # 10 Exhibit 10 - MedScape Comments, # 11 Exhibit 11 - Barrett June 20 Letter, # 12 Exhibit 12 - Feb. 15 Email to Barrett, # 13 Exhibit 13 - AJS Decl. ISO MSJ, # 14 Exhibit 14 - Defense Exhibit 1 (Amgen

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		Statement), # 15 Exhibit 15 - Tx of Prelim Inj Hrg March 30, # 16 Exhibit 16 - NewsOk.com Article, # 17 Exhibit 17 - Strokebreakthrough.com About Page, # 18 Exhibit 18 - Strokebreakthrough.com Homepage, # 19 Exhibit 19 - May 8 Email to Barrett, # 20 Supplement Statement of Undisputed Facts)(Randazza, Marc) (Entered: 08/25/2015)
08/26/2015	252	MOTION for Extension of Time to File Response/Reply/Answer as to 238 MOTION in Limine to <i>Preclude Plaintiffs' Experts</i> by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. (Cahen, Geoffrey) (Entered: 08/26/2015)
08/26/2015	253	PAPERLESS ORDER granting Plaintiffs' 252 Motion for Extension of Time to Respond to Defendant Novella's 238 Motion in Limine to Preclude Plaintiffs' Experts. Plaintiffs' response to the motion in limine shall be filed by 9/11/2015. Signed by Judge Robin L. Rosenberg on 8/26/2015. (dzs) (Entered: 08/26/2015)
08/26/2015	254	ORDER SETTING TELEPHONIC DISCOVERY HEARING: Upon notice by Defendant's counsel of a discovery dispute requiring Court intervention, a telephonic discovery hearing is set for 2:00 P.M. on Thursday, August 27, 2015, 4th Floor, Courtroom 3 in West Palm Beach Division. Defendant's counsel shall forthwith provide the Court (brannon@flsd.uscourts.gov) and opposing counsel with a dial-in conference call number. Signed by U.S. Magistrate Judge Dave Lee Brannon on 8/26/2015. (js00) (Entered: 08/26/2015)
08/27/2015	255	Minute Entry for proceedings held before U.S. Magistrate Judge Dave Lee Brannon: Discovery Hearing held on 8/27/2015. Aaron Gott and Jarod Bona present for Plaintiff. Jay Wolman and Marc Randazza present for Defendant. Written order memorializing court rulings to follow. (Digital/Time in Court: 14:02:05/ 41 mins.) (js00) (Entered: 08/27/2015)
08/27/2015	256	ORDER Memorializing Court Rulings at Discovery Hearing. Signed by Magistrate Judge Dave Lee Brannon on 8/27/2015. (jua) (Entered: 08/27/2015)
08/28/2015	257	ORDER Setting Status Conference for 9/25/2015 10:00 AM in West Palm Beach Division before Judge Robin L. Rosenberg. Signed by Judge Robin L. Rosenberg on 8/28/2015. (jua) (Entered: 08/31/2015)
08/31/2015	258	MOTION Motion for Rule 60(b) Relief from June 4, 2015 Order and for Sanctions re 193 Order on Motion to Strike by Edward Tobinick. Attorney Cullin Avram O'Brien added to party Edward Tobinick(pty:pla). (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14

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		Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit, # 30 Exhibit, # 31 Exhibit)(O'Brien, Cullin) (Entered: 08/31/2015)
08/31/2015	259	MOTION Rule 37 Motion for Sanctions by Edward Tobinick. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit, # 30 Exhibit, # 31 Exhibit, # 32 Exhibit, # 33 Exhibit, # 34 Exhibit, # 35 Exhibit, # 36 Exhibit, # 37 Exhibit, # 38 Exhibit)(O'Brien, Cullin) (Entered: 08/31/2015)
09/01/2015	260	CORRECTED MOTION for Rule 37 Sanctions by Edward Tobinick. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit, # 30 Exhibit, # 31 Exhibit, # 32 Exhibit, # 33 Exhibit, # 34 Exhibit, # 35 Exhibit, # 36 Exhibit, # 37 Exhibit, # 38 Exhibit)(O'Brien, Cullin) Modified relief on 9/1/2015 (jua). (Entered: 09/01/2015)
09/01/2015	261	CORRECTED MOTION for Rule 60(b) Relief from June 4, 2015 Order and for Sanctions re 258 MOTION Motion for Rule 60(b) Relief from June 4, 2015 Order and for Sanctions re 193 Order on Motion to Strike by Edward Tobinick. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Exhibit, # 12 Exhibit, # 13 Exhibit, # 14 Exhibit, # 15 Exhibit, # 16 Exhibit, # 17 Exhibit, # 18 Exhibit, # 19 Exhibit, # 20 Exhibit, # 21 Exhibit, # 22 Exhibit, # 23 Exhibit, # 24 Exhibit, # 25 Exhibit, # 26 Exhibit, # 27 Exhibit, # 28 Exhibit, # 29 Exhibit, # 30 Exhibit, # 31 Exhibit)(O'Brien, Cullin) Modified relief on 9/1/2015 (jua). (Entered: 09/01/2015)
09/01/2015	262	RESPONSE in Opposition re 261 Motion for Reconsideration filed by Steven Novella. Replies due by 9/11/2015. (Attachments: # 1 Exhibit 1 - Declaration of Dr. Steven Novella)(Randazza, Marc) (Entered: 09/01/2015)
09/01/2015	263	RESPONSE in Opposition re 260 Motion for Sanctions filed by Steven Novella. Replies due by 9/11/2015. (Attachments: # 1 Exhibit

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		1 - Declaration of Dr. Steven Novella)(Randazza, Marc) (Entered: 09/01/2015)
09/02/2015	264	MOTION to Stay All Deadlines Pending Resolution of Outstanding Motions for Rule 60(b) Relief, Rule 37 Relief, and for Sanctions re 260 Motion for Sanctions, 261 Motion for Reconsideration by Edward Tobinick. (O'Brien, Cullin) Modified relief on 9/2/2015 (jua). (Entered: 09/02/2015)
09/02/2015	265	PAPERLESS ORDER denying 264 Plaintiffs' Motion to Stay. Signed by Judge Robin L. Rosenberg on 9/2/2015. (dzs) (Entered: 09/02/2015)
09/02/2015	266	NOTICE of Errata by Steven Novella re 262 Response in Opposition to Motion (Attachments: # 1 Errata Exhibit A - Stephen Barrett Email) (Randazza, Marc) Modified text on 9/3/2015 (jua). (Entered: 09/02/2015)
09/02/2015	267	SUPPLEMENT to 262 Response in Opposition to Motion by Steven Novella (Attachments: # 1 Exhibit 1 - Emails, # 2 Exhibit 2 - Emails, # 3 Exhibit 3 - Emails, # 4 Exhibit 4 - Emails, # 5 Exhibit 5 - Emails, # 6 Exhibit 6 - Emails, # 7 Exhibit 7 - Emails and Article, # 8 Exhibit 8 - Emails, # 9 Exhibit 9 - Movement Disorders Team webpage, # 10 Exhibit 10 - Emails, # 11 Exhibit 11 - Emails and Demand Letter) (Randazza, Marc) (Entered: 09/02/2015)
09/07/2015	268	NOTICE by Steven Novella re 257 Order, Set/Reset Hearings <i>Notice of Telephonic Appearance</i> (Randazza, Marc) (Entered: 09/07/2015)
09/08/2015	269	REPLY to Response to Motion re 261 Motion for Reconsideration filed by Edward Tobinick. (Attachments: # 1 Exhibit Ex. 32, # 2 Exhibit Ex. 33, # 3 Exhibit Ex. 34, # 4 Exhibit Ex. 35, # 5 Exhibit Ex. 36, # 6 Exhibit Ex. 37, # 7 Exhibit Ex. 38, # 8 Exhibit Ex. 39) (O'Brien, Cullin) (Entered: 09/08/2015)
09/08/2015	270	MOTION for Leave to File <i>Surreply</i> by Steven Novella. (Attachments: # 1 Exhibit 1 - Declaration of Trey Rothell with Exhibits, # 2 Exhibit 2 - Dates of Posting Sinha, # 3 Exhibit 3 - Dates of Posting Davoodifar) (Randazza, Marc) (Entered: 09/08/2015)
09/08/2015	271	Request for Judicial Notice by Steven Novella (Attachments: # 1 Exhibit 1 - Accusation against Susan Davoodifar, # 2 Exhibit 2 - Declaration of Trey Rothell)(Randazza, Marc) Modified text on 9/9/2015 (jua). (Entered: 09/08/2015)
09/11/2015	272	RESPONSE in Opposition re 251 Renewed MOTION for Summary Judgment filed by Edward Tobinick. Replies due by 9/21/2015. (Attachments: # 1 Exhibit Counter-Statement of Material Facts, # 2

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Exhibit Rule 56(d) Filing, # [3](#) Exhibit Filing Declaration, # [4](#) Exhibit A, # [5](#) Exhibit B, # [6](#) Exhibit C, # [7](#) Exhibit D, # [8](#) Exhibit E, # [9](#) Exhibit F, # [10](#) Exhibit G, # [11](#) Exhibit H, # [12](#) Exhibit I, # [13](#) Exhibit J, # [14](#) Exhibit K, # [15](#) Exhibit M, # [16](#) Exhibit N, # [17](#) Exhibit O, # [18](#) Exhibit P, # [19](#) Exhibit Q, # [20](#) Exhibit R, # [21](#) Exhibit S, # [22](#) Exhibit T, # [23](#) Exhibit U, # [24](#) Exhibit V, # [25](#) Exhibit W, # [26](#) Exhibit X, # [27](#) Exhibit Z, # [28](#) Exhibit Y, # [29](#) Exhibit AA, # [30](#) Exhibit BB, # [31](#) Exhibit CC, # [32](#) Exhibit DD, # [33](#) Exhibit EE, # [34](#) Exhibit FF, # [35](#) Exhibit GG, # [36](#) Exhibit HH, # [37](#) Exhibit II)(O'Brien, Cullin) (Entered: 09/11/2015)

09/11/2015	273	RESPONSE in Opposition re 238 MOTION in Limine to <i>Preclude Plaintiffs' Experts</i> filed by Edward Tobinick. Replies due by 9/21/2015. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7)(O'Brien, Cullin) (Entered: 09/11/2015)
09/12/2015	274	NOTICE of Filing Exhibit L for Plaintiffs' Response in Opposition re 251 Renewed MOTION for Summary Judgment filed by Edward Tobinick. Replies due by 9/24/2015. (Attachments: # 1 Exhibit L1, # 2 Exhibit L2, # 3 Exhibit L3)(O'Brien, Cullin) Modified text on 9/14/2015 (jua). (Entered: 09/12/2015)
09/15/2015	275	ORDER denying 260 Plaintiffs' Corrected Rule 37 Motion for Sanctions and 261 Plaintiffs' Corrected Rule 60(b) Motion for Relief from June 4, 2015 Order and Sanctions. Also denying as moot: 258 Plaintiffs' Rule 60(b) Motion for Relief from June 4, 2015 Order and Sanctions, 259 Plaintiffs' Rule 37 Motion for Sanctions, and 270 Defendant's Motion for Leave to File Surreply. Signed by Judge Robin L. Rosenberg on 9/15/2015. (dzs) (Entered: 09/15/2015)
09/18/2015	276	MOTION/STIPULATION for <i>Substitution of Counsel</i> by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick (Cahen, Geoffrey) Modified to convert document into a motion on 9/21/2015 (jua). (Entered: 09/18/2015)
09/21/2015	277	REPLY to Response to Motion re 251 Renewed MOTION for Summary Judgment filed by Steven Novella. (Attachments: # 1 Exhibit 1 - Brian Williams Inquiry Is Said to Expand - The New York Times, # 2 Exhibit 2 - Side Effects and Safety Information - Enbrel (etanercept), # 3 Exhibit 3 - Tobinick LA Yelp Page, # 4 Exhibit 4 - INR FL Yelp Page, # 5 Exhibit 5 - INR LA Yelp Page, # 6 Exhibit 6 - Vitals Review Dr. Edward Tobinick, # 7 Exhibit 7 - TNF Inhibition Medscape, # 8 Exhibit 8 - Define Dubious at Dictionary, # 9 Exhibit 9 - ICANN _ Archives _ Top-Level Domains (gTLDs), # 10 Exhibit 10 - Hearing on Preliminary Injunction Vol. 1, # 11 Exhibit 11 - Program Requirements for Graduate Medical Education in Neurology, # 12

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		Exhibit 12 - Dr. Edward Tobinick Sues)(Randazza, Marc) (Entered: 09/21/2015)
09/21/2015	278	REPLY to Response to Motion re 238 MOTION in Limine to <i>Preclude Plaintiffs' Experts</i> filed by Steven Novella. (Attachments: # 1 Exhibit 1 - Tx of Prelim Inj Hrg March 30)(Randazza, Marc) (Entered: 09/21/2015)
09/22/2015	279	NOTICE OF CANCELLING HEARING re 257 , Status Conference Hearing set for Friday, 9/25/2015 at 10:00 before Judge Robin L. Rosenberg is hereby CANCELLED . Status Conference 257 will be re-set by separate Order (mno) (Entered: 09/22/2015)
09/23/2015	280	ORDER granting 276 Unstipulated Motion for Substitution of Counsel. Added attorney Cullin Avram O'Brien for INR PLLC. Attorney Jarod Bona and Aaron R. Gott terminated Notice of Termination delivered by US Mail to Jarod Bona, Aaron Gott.. Signed by Judge Robin L. Rosenberg on 9/23/2015. (yha) (Entered: 09/24/2015)
09/25/2015	281	NOTICE by Steven Novella re 277 Reply to Response to Motion,,, <i>Notice of Errata</i> (Randazza, Marc) (Entered: 09/25/2015)
09/29/2015	282	JOINT STIPULATION to Extend Deadline to File Joint Pretrial Stipulations re 110 Scheduling Order, Set/Reset Deadlines/Hearings, by Steven Novella (Randazza, Marc) Modified text on 9/30/2015 (jua). (Entered: 09/29/2015)
09/29/2015	283	MOTION SEEKING DENIAL OF OBJECTION TO CONTEMPLATED EXHIBITS, WHICH COULD OTHERWISE AFFECT SUMMARY JUDGMENT re 272 Response in Opposition to Motion, 282 Stipulation, 274 Response in Opposition to Motion, by Edward Lewis Tobinick, MD. (Attachments: # 1 Errata A-1, # 2 Exhibit A-2, # 3 Exhibit B, # 4 Exhibit C-1, # 5 Exhibit C-2, # 6 Exhibit D, # 7 Exhibit E-1, # 8 Exhibit E-2, # 9 Exhibit E-3)(O'Brien, Cullin) Modified text on 9/30/2015 (jua). (Entered: 09/29/2015)
09/29/2015	284	NOTICE by Edward Lewis Tobinick, MD re 283 MOTION PLAINTIFFS' MOTION SEEKING DENIAL OF OBJECTION TO CONTEMPLATED EXHIBITS, WHICH COULD OTHERWISE AFFECT SUMMARY JUDGMENT re 272 Response in Opposition to Motion,,, 282 Stipulation, 274 Response in Opposition to Motion, <i>Correction to Name of Exhibit in Docket from "Errata" to "Exhibit"</i> (Attachments: # 1 Exhibit A-1) (O'Brien, Cullin) (Entered: 09/29/2015)
09/30/2015	285	PAPERLESS ORDER regarding the parties' 282 Joint Stipulation to Extend Deadline to File Joint Pretrial Stipulations. The Court treats

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		<p>this as a joint motion for extension of time and GRANTS the motion. The parties shall file their joint pretrial stipulation and designations of deposition testimony by today, September 30, 2015. Signed by Judge Robin L. Rosenberg on 9/30/2015. (dzs) (Entered: 09/30/2015)</p>
09/30/2015	286	<p>JOINT PRETRIAL STIPULATION by Steven Novella (Attachments: # 1 Exhibit Plaintiffs' Exhibit List, # 2 Exhibit Defendant's Exhibit List, # 3 Exhibit Plaintiffs' Witness List, # 4 Exhibit Defendants' Witness List)(Randazza, Marc) Modified text on 9/30/2015 (jua). (Entered: 09/30/2015)</p>
09/30/2015	287	<p>RESPONSE in Opposition re 283 MOTION PLAINTIFFS' MOTION SEEKING DENIAL OF OBJECTION TO CONTEMPLATED EXHIBITS, WHICH COULD OTHERWISE AFFECT SUMMARY JUDGMENT re 272 Response in Opposition to Motion,,, 282 Stipulation, 274 Response in Opposition to Motion, filed by Steven Novella. Replies due by 10/13/2015. (Attachments: # 1 Exhibit A - OBrien Email and Attached Exhibit List, # 2 Exhibit B - Randazza Declaration, # 3 Exhibit C - Neifeld Attorneys and Professionals, # 4 Exhibit D - Speakers - NECSS 2015)(Randazza, Marc) (Entered: 09/30/2015)</p>
09/30/2015	288	<p>ORDER GRANTING DEFENDANT DR. STEVEN NOVELLA M.D's 251 MOTION FOR SUMMARY JUDGMENT Closing Case. Motions Terminated: 283 MOTION PLAINTIFFS' MOTION SEEKING DENIAL OF OBJECTION TO CONTEMPLATED EXHIBITS, WHICH COULD OTHERWISE AFFECT SUMMARY JUDGMENT re 272 Response in Opposition to Motion,,, 282 Stipulation, 274 Response in Opposition to Motion, filed by Edward Lewis Tobinick, MD, 238 MOTION in Limine to Preclude Plaintiffs' Experts filed by Steven Novella, 251 Renewed MOTION for Summary Judgment filed by Steven Novella. Signed by Judge Robin L. Rosenberg on 9/30/2015. (mno)</p> <p>NOTICE: If there are sealed documents in this case, they may be unsealed after 1 year or as directed by Court Order, unless they have been designated to be permanently sealed. See Local Rule 5.4 and Administrative Order 2014-69. (Entered: 10/02/2015)</p>
10/16/2015	289	<p>MOTION for Leave to File Excess Pages by Steven Novella. (Randazza, Marc) (Entered: 10/16/2015)</p>
10/19/2015	290	<p>PAPERLESS ORDER granting 289 Motion to Exceed Page Limit. Defendant Dr. Steven Novella may file an omnibus motion for attorney's fees and costs of not more than 30 pages in length. Signed by Judge Robin L. Rosenberg on 10/19/2015. (dzs) (Entered: 10/19/2015)</p>

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10/24/2015	291	TRANSCRIPT of Motion Hearing held on 11/20/2014 before Judge Robin L. Rosenberg, 1-61 pages, Court Reporter: Karl Shires, 954-769-5496 / Karl_Shires@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/19/2015. Redacted Transcript Deadline set for 11/27/2015. Release of Transcript Restriction set for 1/25/2016. (Shires, Karl) (Entered: 10/24/2015)
10/29/2015	292	OMNIBUS MOTION for Attorney Fees and Costs by Steven Novella. Responses due by 11/16/2015 (Attachments: # 1 Exhibit 1 - Affidavit of James Hauser, # 2 Exhibit 2 - Declaration of Marc J. Randazza, # 3 Exhibit 3 - Attorney Timesheet Spreadsheet, # 4 Exhibit 4 - CV of Marc J. Randazza, # 5 Exhibit 5 - Billing Summary, # 6 Exhibit 6 - Emails attempting fee settlement, # 7 Exhibit 7 - Laffey Matrix, # 8 Exhibit 8 - Hourly Rates In A Time Of Moderation, # 9 Exhibit 9 - Invoices to Client, # 10 Exhibit 10 - Excerpt of Deposition, # 11 Exhibit 11 - Randazza Letter to Bona, # 12 Exhibit 12 - Randazza Letter to Bona)(Randazza, Marc) Modified text on 10/30/2015 (jua). (Entered: 10/29/2015)
10/29/2015	293	Notice of Appeal by Edward Lewis Tobinick, MD re 288 Order on Motion for Summary Judgment. Filing fee \$ 505.00 receipt number 113C-8206208. Within fourteen days of the filing date of a Notice of Appeal, the appellant must complete the Eleventh Circuit Transcript Order Form regardless of whether transcripts are being ordered [Pursuant to FRAP 10(b)]. For information go to our FLSD website under Transcript Information. (Attachments: # 1 Exhibit)(O'Brien, Cullin) Text modified on 10/30/2015 to add docket entry link (mc). (Entered: 10/29/2015)
10/30/2015	294	Clerks Notice to Filer re 293 Notice of Appeal. Document Not Linked ; ERROR - The filed document was not linked to the related docket entry. The correction was made by the Clerk. It is not necessary to refile this document. (mc) (Entered: 10/30/2015)
10/30/2015		Transmission of Notice of Appeal, Order and Docket Sheet to US Court of Appeals for the 11th Circuit; re 293 Notice of Appeal. Notice has been electronically mailed. (mc) Text modified on 10/30/2015 (mc). (Entered: 10/30/2015)
10/30/2015	295	Clerks Notice of Docket Correction re Transmission of Notice of Appeal and Docket Sheet to USCA. Docket Text Modified by Clerk to indicate that the Notice of Appeal de # 293 was transmitted to the US Court of Appeals for the 11th Circuit. (mc) (Entered: 10/30/2015)

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10/30/2015	296	Corrected Notice of Appeal as to 288 Order on Motion for Summary Judgment,,, by Edward Lewis Tobinick, MD. Filing fee \$ 505.00. No Filing Fee Required. Within fourteen days of the filing date of a Notice of Appeal, the appellant must complete the Eleventh Circuit Transcript Order Form regardless of whether transcripts are being ordered [Pursuant to FRAP 10(b)]. For information go to our FLSD website under Transcript Information. (Attachments: # 1 Exhibit)(O'Brien, Cullin) (Entered: 10/30/2015)
10/30/2015		Transmission of Corrected Notice of Appeal, Order and Docket Sheet to US Court of Appeals for the 11th Circuit; re 296 Notice of Appeal. Notice has been electronically mailed. (mc) (Entered: 10/30/2015)
10/30/2015	297	NOTICE of Errata by Steven Novella re 292 Defendant's MOTION for Attorney Fees (Attachments: # 1 Errata Exhibit A - Email) (Randazza, Marc) Modified text on 11/2/2015 (jua). (Entered: 10/30/2015)
11/03/2015	298	Acknowledgment of Receipt of NOA from USCA re 293 Notice of Appeal,, filed by Edward Lewis Tobinick, MD. Date received by USCA: 10/30/2015. USCA Case Number: 15-14889-A. (amb) (Entered: 11/03/2015)
11/12/2015	299	TRANSCRIPT INFORMATION FORM by Edward Tobinick re 293 Notice of Appeal,, 296 Notice of Appeal,,, pretrial proceedings transcript(s) ordered. Order placed by Cullin O'Brien. Email sent to Court Reporter Coordinator. (O'Brien, Cullin) (Entered: 11/12/2015)
11/12/2015	300	TRANSCRIPT NOTIFICATION - Transcript(s) ordered on: 10/24/2015 by Cullin O'Brien, Esq. has/have been filed by Court Reporter: Karl Shires, 954-769-5496 / Karl_Shires@flsd.uscourts.gov re 293 Notice of Appeal,, 296 Notice of Appeal,, 299 Transcript Information Form. (Shires, Karl) (Entered: 11/12/2015)
11/16/2015	301	MOTION for Extension of Time re 292 Defendant's MOTION for Attorney Fees by Steven Novella. Responses due by 12/3/2015 (Randazza, Marc) (Entered: 11/16/2015)
11/16/2015	302	MOTION to File Documents Under Seal (dj) (Additional attachment(s) added on 11/16/2015: # 1 Sealed Tracking Form, # 2 Text of Proposed Order, # 3 Exhibit 35, # 4 Exhibit 37, # 5 Deposition fo Steven Novella) (dj). (Entered: 11/16/2015)
11/16/2015	303	RESPONSE in Opposition re 302 MOTION to Seal (<i>Limited Opposition</i>) filed by Steven Novella. Replies due by 11/27/2015. (Randazza, Marc) (Entered: 11/16/2015)
11/16/2015	304	OMNIBUS Opposition re 292 Defendant's MOTION for Attorney

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Fees filed by Edward Tobinick. Replies due by 11/27/2015.
(Attachments: # [1](#) Affidavit O'Brien Declaration Attaching Exhibits, # [2](#) Exhibit Exhibit 1, # [3](#) Exhibit Exhibit 2, # [4](#) Exhibit Exhibit 2a, # [5](#) Exhibit Exhibit 2b, # [6](#) Exhibit Exhibit 2c, # [7](#) Exhibit Exhibit 2d, # [8](#) Exhibit Exhibit 2e, # [9](#) Exhibit Exhibit 2f, # [10](#) Exhibit Exhibit 3, # [11](#) Exhibit Exhibit 4, # [12](#) Exhibit Exhibit 5, # [13](#) Exhibit Exhibit 6a, # [14](#) Exhibit Exhibit 6b, # [15](#) Exhibit Exhibit 6c, # [16](#) Exhibit Exhibit 6d, # [17](#) Exhibit Exhibit 6e, # [18](#) Exhibit Exhibit 6f, # [19](#) Exhibit Exhibit 6g, # [20](#) Exhibit Exhibit 6h, # [21](#) Exhibit Exhibit 6i, # [22](#) Exhibit Coverpage to Exhibit 7 (documents filed under seal), # [23](#) Exhibit Exhibit 8, # [24](#) Exhibit Exhibit 9, # [25](#) Exhibit Exhibit 10, # [26](#) Exhibit Exhibit 11)(O'Brien, Cullin) Modified text on 11/16/2015 (jua).
(Entered: 11/16/2015)

11/16/2015	305	RESPONSE in Opposition re 292 Defendant's MOTION for Attorney Fees filed by Geoffrey Michael Cahen, Cullin O'Brien. Attorney Geoffrey Michael Cahen added to party Geoffrey Michael Cahen(pty:res), Attorney Geoffrey Michael Cahen added to party Cullin O'Brien(pty:res). Replies due by 11/27/2015. (Cahen, Geoffrey) (Entered: 11/16/2015)
11/16/2015	306	RESPONSE in Opposition re 301 MOTION for Extension of Time re 292 Defendant's MOTION for Attorney Fees filed by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick. Replies due by 11/27/2015. (Cahen, Geoffrey) (Entered: 11/16/2015)
11/16/2015	307	NOTICE by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick re 292 Defendant's MOTION for Attorney Fees , 304 Response in Opposition to Motion,,, <i>of Filing Declaration of Geoffrey M. Cahen</i> (Cahen, Geoffrey) (Entered: 11/16/2015)
11/16/2015	308	NOTICE by Edward Lewis Tobinick, MD, INR PLLC, The Institute of Neurological Recovery, Edward Tobinick re 292 Defendant's MOTION for Attorney Fees , 304 Response in Opposition to Motion,,, <i>of Filing Declaration of Cullin O'Brien</i> (Cahen, Geoffrey) (Entered: 11/16/2015)
11/16/2015	309	REPLY to Response to Motion re 301 MOTION for Extension of Time re 292 Defendant's MOTION for Attorney Fees filed by Steven Novella. (Attachments: # 1 Exhibit 1 - Email)(Randazza, Marc) (Entered: 11/16/2015)
11/20/2015	310	TRANSCRIPT of Status Conference held on 1.28.15 before Judge Robin L. Rosenberg, 1-26 pages, re: 293 Notice of Appeal,, 296 Notice of Appeal,, Court Reporter: Pauline Stipes, 561-803-3434 /

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		<p>Pauline_Stipes@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/14/2015. Redacted Transcript Deadline set for 12/24/2015. Release of Transcript Restriction set for 2/22/2016. (ps) (Entered: 11/20/2015)</p>
11/20/2015	<u>311</u>	<p>TRANSCRIPT of Status Conference held on 2.6.15 before Judge Robin L. Rosenberg, 1-25 pages, re: <u>293</u> Notice of Appeal,, <u>296</u> Notice of Appeal,, Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/14/2015. Redacted Transcript Deadline set for 12/24/2015. Release of Transcript Restriction set for 2/22/2016. (ps) (Entered: 11/20/2015)</p>
11/20/2015	<u>312</u>	<p>TRANSCRIPT of Motion for Preliminary Injunction held on 3.30.15 before Judge Robin L. Rosenberg, 1-205 pages, re: <u>293</u> Notice of Appeal,, <u>296</u> Notice of Appeal,, Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/14/2015. Redacted Transcript Deadline set for 12/24/2015. Release of Transcript Restriction set for 2/22/2016. (ps) (Entered: 11/20/2015)</p>
11/20/2015	<u>313</u>	<p>TRANSCRIPT of Motion for Preliminary Injunction held on 3.31.15 before Judge Robin L. Rosenberg, 1-195 pages, re: <u>293</u> Notice of Appeal,, <u>296</u> Notice of Appeal,, Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/14/2015. Redacted Transcript Deadline set for 12/24/2015. Release of Transcript Restriction set for 2/22/2016. (ps) (Entered: 11/20/2015)</p>
11/20/2015	<u>314</u>	<p>TRANSCRIPT of Status Conference held on 6.18.15 before Judge Robin L. Rosenberg, 1-30 pages, re: <u>293</u> Notice of Appeal,, <u>296</u> Notice of Appeal,, Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court</p>

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		Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/14/2015. Redacted Transcript Deadline set for 12/24/2015. Release of Transcript Restriction set for 2/22/2016. (ps) (Entered: 11/20/2015)
11/23/2015	315	REPLY to Response to Motion re 292 Defendant's MOTION for Attorney Fees filed by Steven Novella. (Randazza, Marc) (Entered: 11/23/2015)
11/23/2015	316	REPLY to Response to Motion re 292 Defendant's MOTION for Attorney Fees (<i>Reply to Counsel's Separate Opposition</i>) filed by Steven Novella. (Randazza, Marc) (Entered: 11/23/2015)
12/01/2015	317	RESPONSE of Jarod Bona and Aaron Gott to Defendant's Renewed Motion for Sanctions against Counsel re 292 Defendant's Omnibus MOTION for Attorney Fees . Replies due by 12/11/2015. (gp) (Entered: 12/01/2015)
12/10/2015	318	REPLY to Response to Motion re 292 Defendant's MOTION for Attorney Fees (<i>Reply to Bona and Gott's Opposition </i> 317 <i>)</i> filed by Steven Novella. (Randazza, Marc) (Entered: 12/10/2015)
12/22/2015	320	MOTION for Sanctions by Jarod M Bona. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(srd) (Entered: 12/23/2015)
12/23/2015	319	PAPERLESS ORDER denying as moot 301 Defendant Steven Novella M.D.'s Motion for Extension of Time. Insofar as Defendant requests additional time for Plaintiffs and their counsel to respond, this is denied as moot because these parties have already responded. Insofar as Plaintiffs' response at docket entry 306 argues that the Court should deny Defendant's Omnibus Motion for Attorneys Fees and Costs, at docket entry 292, due to Defendant's failure to comply with Local Rule 7.3(b), the Court exercises its discretion not to do so. Given the prior orders addressing fee issues at docket entries 190 and 193, as well as the history of this litigation, the Court finds Plaintiffs were not prejudiced by the failure to strictly comply with the rule, to the extent it applies to the fees Defendant requests. Signed by Judge Robin L. Rosenberg on 12/23/2015. (dzs) (Entered: 12/23/2015)
12/23/2015	321	ORDER Granting 302 Motion to Seal. The Clerk of Court shall seal the documents filed at DE 302-3, DE 302-4 and DE 302-5 for the duration of this case,including exhaustion of any appeals, and thereafter destroy these documents. Signed by Judge Robin L. Rosenberg on 12/23/2015. (nc) (Entered: 12/23/2015)
12/23/2015	322	RESPONSE in Opposition re 320 MOTION for Sanctions filed by Steven Novella. Replies due by 1/4/2016. (Attachments: # 1 Exhibit 1

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		- Email)(Randazza, Marc) (Entered: 12/23/2015)
01/05/2016	323	REPLY to Response to Motion re 320 MOTION for Sanctions filed by Jarod M Bona, Aaron R. Gott. (Interested party added) (jua) (Entered: 01/05/2016)
03/28/2016	324	NOTICE of Change of Address by Marc John Randazza (Randazza, Marc) (Entered: 03/28/2016)
03/28/2016	325	Notice of Supplemental Authority re 292 Defendant's MOTION for Attorney Fees by Steven Novella (Attachments: # 1 Exhibit A - Paton v. Geico) (Randazza, Marc) (Entered: 03/28/2016)
05/03/2016	326	Notice of Supplemental Authority re 292 Defendant's MOTION for Attorney Fees by Steven Novella (Attachments: # 1 Exhibit 1 - Baker v. Deshong - Opinion and Order) (Randazza, Marc) (Entered: 05/03/2016)
05/25/2016	327	Pursuant to F.R.A.P. 11(c), the Clerk of the District Court for the Southern District of Florida certifies that the record is complete for purposes of this appeal re: 296 Notice of Appeal,, 293 Notice of Appeal,, Appeal No. 15-14889-AA. The entire record on appeal is available electronically. (amb) (Entered: 05/25/2016)
06/03/2016	328	MOTION for Status Conference by Steven Novella. (Attachments: # 1 Exhibit 1 - Email)(Randazza, Marc) (Entered: 06/03/2016)
06/03/2016	329	MOTION PLAINTIFFS MOTION TO SUPPLEMENT PLAINTIFFS OPPOSITION TO NOVELLAS PENDING MOTION FOR FEES re 326 Notice of Supplemental Authority, 325 Notice of Supplemental Authority, 304 Response in Opposition to Motion,,, by Edward Tobinick. (Attachments: # 1 Exhibit Exhibit A - Declaration of Jason Gibson, # 2 Exhibit Exhibit B - Affidavit of Dennis L. Kennedy) (O'Brien, Cullin) (Entered: 06/03/2016)
06/08/2016	330	RESPONSE in Opposition re 329 MOTION PLAINTIFFS MOTION TO SUPPLEMENT PLAINTIFFS OPPOSITION TO NOVELLAS PENDING MOTION FOR FEES re 326 Notice of Supplemental Authority, 325 Notice of Supplemental Authority, 304 Response in Opposition to Motion,,, filed by Steven Novella. Replies due by 6/20/2016. (Attachments: # 1 Exhibit 1 - IQTAXX v. Boling - Order Granting Fees and Costs, # 2 Exhibit 2 - Randazza Email to O'Brien) (Randazza, Marc) (Entered: 06/08/2016)
06/17/2016	331	REPLY to Response to Motion re 329 MOTION PLAINTIFFS MOTION TO SUPPLEMENT PLAINTIFFS OPPOSITION TO NOVELLAS PENDING MOTION FOR FEES re 326 Notice of Supplemental Authority, 325 Notice of Supplemental Authority, 304

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		Response in Opposition to Motion,,, filed by Edward Tobinick. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(O'Brien, Cullin) (Entered: 06/17/2016)
08/18/2016	332	PAPERLESS ORDER denying 328 Novella's Motion for Status Conference ; granting 329 Plaintiff's Motion to Supplement only to the extent that the Court will permit the exhibits attached to the Motion to be a part of Plaintiff's record in opposition to Novella's Motion for Attorney Fees. However, to the extent the Court does not find the supplemental exhibits relevant to the issues raised in the Motion for Attorney Fees, the Court will not consider them. Signed by Judge Robin L. Rosenberg on 8/18/2016. (RLR) (Entered: 08/18/2016)
09/08/2016	333	ORDER denying 320 Motion for Sanctions; granting in part and denying in part 292 Motion for Attorney Fees. Signed by Judge Robin L. Rosenberg on 9/8/2016. (nkl) (Entered: 09/08/2016)
09/20/2016	334	FINAL JUDGMENT on Attorney Fees and Costs. Fees awarded to Steven Novella, M.D. against Plaintiffs Edward Lewis Tobinick, MD, INR PLLC, and M.D. Edward Tobinick. Signed by Judge Robin L. Rosenberg on 9/20/2016. (jas) (Entered: 09/20/2016)
09/20/2016	335	Notice of Appeal as to 334 Judgment on Attorney Fees, 319 Order on Motion for Extension of Time,,, 333 Order on Motion for Sanctions, Order on Motion for Attorney Fees by Edward Tobinick. Filing fee \$ 505.00 receipt number 113C-9104271. Within fourteen days of the filing date of a Notice of Appeal, the appellant must complete the Eleventh Circuit Transcript Order Form regardless of whether transcripts are being ordered [Pursuant to FRAP 10(b)]. For information go to our FLSD website under Transcript Information. (Attachments: # 1 Exhibit Dkt. No. 334, # 2 Exhibit Dkt. No. 333) (O'Brien, Cullin) (Entered: 09/20/2016)
09/20/2016		Transmission of Notice of Appeal, Judgment/Orders under appeal and Docket Sheet to US Court of Appeals re 335 Notice of Appeal, Notice has been electronically mailed. (apz) (Entered: 09/21/2016)
09/21/2016	336	MOTION PLAINTIFFS MOTION TO STAY EXECUTION OF JUDGMENT PENDING APPEALS AND FOR ORDER ALLOWING AND REQUIRING SUPERSEDEAS BOND re 319 Order on Motion for Extension of Time,,, 333 Order on Motion for Sanctions, Order on Motion for Attorney Fees, 334 Judgment on Attorney Fees, Transmission of Notice of Appeal and Docket Sheet to USCA, 335 Notice of Appeal,, by Edward Tobinick. (Attachments: # 1 Exhibit)(O'Brien, Cullin) (Entered: 09/21/2016)
09/21/2016	337	Clerks Receipt for Supersedeas Bond 336 received on 9/21/2016 in the amount of \$ 245,958.63, receipt number FLS100129909. (fbn)

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		(Entered: 09/21/2016)
09/21/2016	338	Clerks Receipt for Supersedeas Bond 336 received on 9/21/2016 in the amount of \$ 39,804.60, receipt number FLS100129910. (fbn) (Entered: 09/21/2016)
09/22/2016	339	PAPERLESS ORDER requiring Defendant to file an expedited response to Plaintiff's Motion to Stay Execution of Judgment at DE 336 by no later than Tuesday, September 27, 2016. Signed by Judge Robin L. Rosenberg on 9/22/2016. (RLR) (Entered: 09/22/2016)
09/27/2016	340	RESPONSE to Motion re 336 MOTION PLAINTIFFS MOTION TO STAY EXECUTION OF JUDGMENT PENDING APPEALS AND FOR ORDER ALLOWING AND REQUIRING SUPERSEDEAS BOND re 319 Order on Motion for Extension of Time,,, 333 Order on Motion for Sanctions, Order on Motion for Attorney Fees, filed by Steven Novella. Replies due by 10/7/2016. (Randazza, Marc) (Entered: 09/27/2016)
09/28/2016	341	PAPERLESS ORDER requiring Plaintiff to submit a proposed order on 336 Plaintiff's Motion to Stay Execution of Judgment Pending Appeal and for Order Allowing and Requiring Supersedeas Bond by September 29, 2016 at 12:00pm. Submission should be made in Word format to the Court's e-mail address. Signed by Judge Robin L. Rosenberg on 9/28/2016. (as00) (Entered: 09/28/2016)
09/30/2016	342	Acknowledgment of Receipt of NOA from USCA re 335 Notice of Appeal,, filed by Edward Tobinick. Date received by USCA: 9/21/2016. USCA Case Number: 16-16210-A. (amb) (Entered: 09/30/2016)
09/30/2016	343	ORDER granting 336 Motion Motion to Stay Execution of Judgment Pending Appeals and for Order Allowing and Requiring a Supersedeas Bond. Signed by Judge Robin L. Rosenberg on 9/30/2016. (jas) (Entered: 10/03/2016)
10/04/2016	344	TRANSCRIPT INFORMATION FORM by Edward Tobinick re 335 Notice of Appeal,, Hearing transcript(s) ordered. Order placed by Cullin O'Brien. Email sent to Court Reporter Coordinator. (O'Brien, Cullin) (Entered: 10/04/2016)
10/12/2016	345	COURT REPORTER ACKNOWLEDGMENT re 344 Transcript Information Form. Transcripts for hearings on 1.28.15 and 2.6.15 to be filed on or before 11.11.16, Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov. (ps) (Entered: 10/12/2016)
10/16/2016	346	TRANSCRIPT of Status Conference held on 1.28.15 before Judge Robin L. Rosenberg, 1-31 pages, re: 335 Notice of Appeal,, Court

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		<p>Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/10/2016. Redacted Transcript Deadline set for 11/21/2016. Release of Transcript Restriction set for 1/20/2017. (ps) (Entered: 10/16/2016)</p>
10/16/2016	<u>347</u>	<p>TRANSCRIPT of Status Conference held on 2.6.15 before Judge Robin L. Rosenberg, 1-31 pages, re: <u>335</u> Notice of Appeal,, Court Reporter: Pauline Stipes, 561-803-3434 / Pauline_Stipes@flsd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/10/2016. Redacted Transcript Deadline set for 11/21/2016. Release of Transcript Restriction set for 1/20/2017. (ps) (Entered: 10/16/2016)</p>
10/17/2016	<u>348</u>	<p>TRANSCRIPT NOTIFICATION - have been filed by Pauline A. Stipes re <u>345</u> Court Reporter Acknowledgment, <u>335</u> Notice of Appeal,,, (ps) (Entered: 10/17/2016)</p>
10/17/2016	<u>349</u>	<p>NOTICE by Edward Tobinick re 155 Order, <u>335</u> Notice of Appeal,, (Attachments: # <u>1</u> Exhibit Exhibit A - March 27, 2015 email to District Court, # <u>2</u> Exhibit Exhibit B - Proposed Findings of Fact and Conclusions of Law Provided to District Court on March 27, 2015) (O'Brien, Cullin) (Entered: 10/17/2016)</p>
10/20/2016	<u>350</u>	<p>TRANSCRIPT of Discovery Hearing held on 8/6/2015 before Magistrate Judge Dave Lee Brannon, 1-41 pages, re: <u>335</u> Notice of Appeal, Court Reporter: Carl Schanzleh, 305-523-5635. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/14/2016. Redacted Transcript Deadline set for 11/28/2016. Release of Transcript Restriction set for 1/23/2017. (Attachments: # <u>1</u> Designation Access Form)(apz) (Entered: 10/20/2016)</p>
10/20/2016	<u>351</u>	<p>TRANSCRIPT of Discovery Hearing held on 8/17/2015 before Magistrate Judge Dave Lee Brannon, 1-24 pages, re: <u>335</u> Notice of Appeal, Court Reporter: Carl Schanzleh, 305-523-5635. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through</p>

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		PACER. Redaction Request due 11/14/2016. Redacted Transcript Deadline set for 11/28/2016. Release of Transcript Restriction set for 1/23/2017. (Attachments: # 1 Designation Access Form)(apz) (Entered: 10/20/2016)
10/20/2016	352	TRANSCRIPT of Discovery Hearing held on 8/24/2015 before Magistrate Judge Dave Lee Brannon, 1-25 pages, re: 335 Notice of Appeal, Court Reporter: Carl Schanzleh, 305-523-5635. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/14/2016. Redacted Transcript Deadline set for 11/28/2016. Release of Transcript Restriction set for 1/23/2017. (Attachments: # 1 Designation Access Form)(apz) (Entered: 10/20/2016)
10/20/2016	353	TRANSCRIPT of Discovery Hearing held on 8/27/2015 before Magistrate Judge Dave Lee Brannon, 1-19 pages, re: 335 Notice of Appeal, Court Reporter: Carl Schanzleh, 305-523-5635. Transcript may be viewed at the court public terminal or purchased by contacting the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/14/2016. Redacted Transcript Deadline set for 11/28/2016. Release of Transcript Restriction set for 1/23/2017. (Attachments: # 1 Designation Access Form)(apz) (Entered: 10/20/2016)
10/20/2016	354	TRANSCRIPT NOTIFICATION - Transcript(s) ordered on: 10/4/2016 by Cullin O'Brien, Esq. has/have been filed by Court Reporter: Carl Schanzleh, 305-523-5635 re 344 Transcript Information Form. (apz) (Entered: 10/20/2016)
11/16/2016	355	MOTION for Bond by Steven Novella. Responses due by 12/5/2016 (Attachments: # 1 Exhibit 1 - Appellants' Opening Brief, # 2 Exhibit 2 - Tobinick Opps to MTD Appeal, # 3 Exhibit 3 - Civil Appeal Statement, # 4 Exhibit 4 - Order Denying Clark and Graham Motions, # 5 Exhibit 5 - Amicus Brief, # 6 Exhibit 6 - Amicus Brief, # 7 Exhibit 7 - Amicus Brief, # 8 Exhibit 8 - Amicus Brief, # 9 Exhibit 9 - Randazza Declaration)(Randazza, Marc) (Entered: 11/16/2016)
12/05/2016	356	RESPONSE in Opposition re 355 MOTION for Bond filed by Edward Tobinick. Replies due by 12/12/2016. (Attachments: # 1 Exhibit Order denying motions to dismiss appeal, # 2 Exhibit Plaintiffs' reply brief on appeal, # 3 Exhibit Plaintiffs' opposition to UCLA amicus brief, # 4 Exhibit Plaintiffs' opposition to Prof. Tushnet amicus brief, # 5 Exhibit Plaintiffs' opposition to Journalist amicus brief, # 6 Exhibit Plaintiffs' opposition to Publisher amicus brief, # 7 Exhibit Appeal docket, # 8

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		Exhibit October 28, 2016 Email, # 9 Exhibit Langer Declaration) (O'Brien, Cullin) (Entered: 12/05/2016)
12/08/2016	357	REPLY to Response to Motion re 355 MOTION for Bond filed by Steven Novella. (Randazza, Marc) (Entered: 12/08/2016)
12/12/2016	358	NOTICE by Edward Tobinick <i>Filing Exhibits</i> (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit) (O'Brien, Cullin) (Entered: 12/12/2016)
12/20/2016	359	Pursuant to F.R.A.P. 11(c), the Clerk of the District Court for the Southern District of Florida certifies that the record is complete for purposes of this appeal re: 335 Notice of Appeal,, Appeal No. 16-16210-AA. The entire record on appeal is available electronically. (apz) (Entered: 12/20/2016)
02/15/2017	360	Notice of Supplemental Authority re 355 MOTION for Bond by Steven Novella (Attachments: # 1 Exhibit A - Opinion) (Randazza, Marc) (Entered: 02/15/2017)
02/17/2017	361	PAPERLESS ORDER requiring Defendant to show cause on or before February 24, 2017 why the 355 Motion for an Order Requiring Plaintiffs to Post a Bond Pursuant to Fed. R. App. P. 7 should not be denied as moot in light of the fact that the appeal in this case is no longer pending. Signed by Judge Robin L. Rosenberg on 2/17/2017. (as00) (Entered: 02/17/2017)
02/17/2017	362	AMENDED PAPERLESS ORDER requiring Defendant to show cause on or before February 21, 2017 at 5:00pm why the 355 Motion for an Order Requiring Plaintiffs to Post a Bond Pursuant to Fed. R. App. P. 7 should not be denied as moot in light of the fact that the appeal in this case is no longer pending. The 361 PAPERLESS ORDER setting a later date is hereby stricken. Signed by Judge Robin L. Rosenberg on 2/17/2017. (as00) (Entered: 02/17/2017)
02/17/2017	363	RESPONSE TO ORDER TO SHOW CAUSE re 362 Order, by Steven Novella. (Randazza, Marc) (Entered: 02/17/2017)
02/21/2017		Set Deadlines. Show Cause Response due by 2/21/2017. PER DE 362 . (lbc) (Entered: 02/21/2017)
04/05/2017	364	ORDER DENYING DEFENDANT NOVELLAS MOTION FOR AN ORDER REQUIRING PLAINTIFFS TO POST A BOND PURSUANT TO FED. R. APP. P. 7; denying 355 Motion for Bond. Signed by Judge Robin L. Rosenberg on 4/4/2017. (jas) (Entered: 04/06/2017)
04/20/2017	365	MANDATE of USCA (certified copy). AFFIRM Judgment of the district court with court's opinion re 293 Notice of Appeal, filed by

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		<p>Edward Lewis Tobinick, MD, 296 Notice of Appeal, filed by Edward Lewis Tobinick, MD; Date Issued: 4/20/2017; USCA Case Number: 15-14889-A. Bill of Costs are hereby taxed in the amount of \$517.35 against Appellants and are payable directly to Appellees. Bill of Costs are hereby taxed in the amount of \$2,284.50 against Appellants and are payable directly to Appellee. (apz)Text Modified on 4/20/2017 (apz). (Entered: 04/20/2017)</p>
08/22/2017	366	<p>ORDER of USCA. Appellee the Society's "Corrected Motion for Appellate Attorney's Fees" is GRANTED AS TO ENTITLEMENT. On its own motion, this Court TRANSFERS Appellee the Society's "Application for Attorney's Fees and Expenses" to the District Court for its consideration of the reasonable amounts of attorney's fees and expenses to be forwarded. On its own motion, this Court TRANSFERS Appellee Novella's "Application for Attorneys' Fees and Expenses" to the District Court for its consideration of the issues of entitlement and the fee amounts, if any, to be forwarded re 293 Notice of Appeal, filed by Edward Lewis Tobinick, MD, 296 Notice of Appeal, filed by Edward Lewis Tobinick, MD. USCA #15-14889-AA. (apz) (Entered: 08/22/2017)</p>
08/22/2017	367	<p>MOTION for Attorney Fees. (SEE DE 366 FOR IMAGE). Responses due by 9/5/2017 (apz) (Entered: 08/22/2017)</p>
08/24/2017	368	<p>NOTICE by Steven Novella re 366 USCA Order,,, (Attachments: # 1 Exhibit 1 - Opposition to Novella Fee Motion - Pt 1, # 2 Exhibit 1 - Opposition to Novella Fee Motion - Pt 2, # 3 Exhibit 1 - Opposition to Novella Fee Motion - Pt 3, # 4 Exhibit 2 - Opposition to SfSBM Fee Motion, # 5 Exhibit 3 - Novella Reply in Support of Fee Motion, # 6 Exhibit 4 - SfSBM Corrected Fee Motion, # 7 Exhibit 5 - SfSBM Reply in Support of Fees, # 8 Exhibit 6 - Novella Supplemental Authority, # 9 Exhibit 7 - Tobinick Response to Supp Auth, # 10 Exhibit 8 - Tobinick Supplemental Authority, # 11 Exhibit 9 - Novella Response to Supp Auth) (Randazza, Marc) (Entered: 08/24/2017)</p>
09/01/2017	369	<p>PAPERLESS ORDER referring Defendant The Society for Science Based Medicine's Application for Attorneys' Fees 367 for appropriate disposition to Judge James M. Hopkins. Pursuant to the Eleventh Circuit's Order filed on August 22, 2017, this referral is for a consideration of the reasonable amount of attorney's fees and expenses to be awarded. Defendant Novella's Application for Attorneys' Fees and Expenses 367 is referred for appropriate disposition to Judge James M. Hopkins. Pursuant to the Eleventh Circuit's Order filed on August 22, 2017, this referral is for a consideration of entitlement and the fee amounts, if any, to be awarded. Signed by Judge Robin L. Rosenberg on 9/1/2017. (bkd) (Entered: 09/01/2017)</p>

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09/05/2017	370	NOTICE by Edward Tobinick re 367 MOTION for Attorney Fees, 368 Notice (Other),, 369 Order Referring Motion,, <i>Additional Notice in Opposition to Dr. Novella's Motion for Appeal Fees</i> (Attachments: # 1 Exhibit Petition for Writ of Certiorari to the United States Supreme Court, # 2 Exhibit Petition for Rehearing to the Eleventh Circuit) (O'Brien, Cullin) (Entered: 09/05/2017)
11/13/2017	371	WRIT OF CERTIORARI DENIED, the motion of Stephen J. Ralph for leave to file a brief as amicus curiae is granted by US Supreme Court re 293 Notice of Appeal, filed by Edward Lewis Tobinick, MD, 296 Notice of Appeal, filed by Edward Lewis Tobinick, MD. USCA #15-14889-AA. (apz) (Entered: 11/14/2017)
11/29/2017	372	REPORT AND RECOMMENDATIONS re 367 MOTION for Attorney Fees, 368 Notice (Other),, filed by Steven Novella, 366 USCA Order,,, Recommending GRANT IN PART AND DENY IN PART Defendant Dr. Novellas motion for appellate attorneys fees and costs, and GRANT IN FULL the amount of appellate attorneys fees sought by Defendant the Society for Science-Based Medicine, Inc.. Objections to R&R due by 12/13/2017 Signed by Magistrate Judge Lurana S. Snow on 11/29/2017. (vmz) (Entered: 11/29/2017)
12/13/2017	373	OBJECTIONS to 372 Report and Recommendations by Edward Tobinick. (O'Brien, Cullin) (Entered: 12/13/2017)
12/18/2017	374	ORDER Adopting 372 Report and Recommendations;granting in part and denying in part 367 Motion for Attorney Fees. Signed by Judge Robin L. Rosenberg on 12/15/2017. (ail) (Entered: 12/18/2017)
01/12/2018	375	Notice of Appeal as to 374 Order on Motion for Attorney Fees, Order on Report and Recommendations, 369 Order Referring Motion,, by Edward Tobinick. Filing fee \$ 505.00 receipt number 113C-10326683. Within fourteen days of the filing date of a Notice of Appeal, the appellant must complete the Eleventh Circuit Transcript Order Form regardless of whether transcripts are being ordered [Pursuant to FRAP 10(b)]. For information go to our FLSD website under Transcript Information. (O'Brien, Cullin) (Entered: 01/12/2018)
01/16/2018		Transmission of Notice of Appeal, Orders under appeal and Docket Sheet to US Court of Appeals re 375 Notice of Appeal, Notice has been electronically mailed. (apz) (Entered: 01/16/2018)
01/18/2018	376	Acknowledgment of Receipt of NOA from USCA re 375 Notice of Appeal,, filed by Edward Tobinick. Date received by USCA: 1/16/18. USCA Case Number: 18-10175-F. (hh) (Entered: 01/19/2018)
01/26/2018	377	TRANSCRIPT INFORMATION FORM by Edward Tobinick re 375 Notice of Appeal,,, No Transcript Requested. (O'Brien, Cullin)

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		(Entered: 01/26/2018)
03/21/2018	378	NOTICE OF WITHDRAWAL OF MOTION by Steven Novella (Randazza, Marc) (Entered: 03/21/2018)
03/27/2018	379	ORDER of DISMISSAL from USCA. Pursuant to Appellants INR PLLC, Edward Tobinick and Doctor Edward Lewis Tobinick's motion for voluntary dismissal, FRAP Rule 42 and 11th Cir. R. 42-1(a), the above referenced appeal was duly entered dismissed re 375 Notice of Appeal, filed by Edward Tobinick. USCA 18-10175-FF. (apz) (Entered: 03/27/2018)
06/12/2018	380	MANDATE of USCA (certified copy). AFFIRM Judgment of the district court with court's opinion re 335 Notice of Appeal, filed by Edward Tobinick; Date Issued: 6/12/2018; USCA Case Number: 16-16210-AA. (apz) (Entered: 06/13/2018)
06/13/2018	381	MOTION for Disbursement of Funds - <i>Motion to Distribute Supersedeas Bonds</i> by Steven Novella. (Randazza, Marc) (Entered: 06/13/2018)
06/13/2018	382	MOTION PLAINTIFFS MOTION REGARDING DISBURSEMENT OF THE \$285,763.23 BOND [DKT. NOS. 337-338] POSTED TO SATISFY THE \$259,784.75 JUDGMENT [DKT. NO. 334] re 381 MOTION for Disbursement of Funds - <i>Motion to Distribute Supersedeas Bonds</i> , 337 Clerks Receipt, 380 USCA Mandate, 343 Order on Motion for Miscellaneous Relief, 338 Clerks Receipt by Edward Tobinick. (O'Brien, Cullin) (Entered: 06/13/2018)
06/13/2018	383	RESPONSE in Opposition re 381 MOTION for Disbursement of Funds - <i>Motion to Distribute Supersedeas Bonds</i> , 382 MOTION PLAINTIFFS MOTION REGARDING DISBURSEMENT OF THE \$285,763.23 BOND [DKT. NOS. 337-338] POSTED TO SATISFY THE \$259,784.75 JUDGMENT [DKT. NO. 334] re 381 MOTION for Disbursement of Funds - <i>Motion to Distribute Supersedeas Bonds</i> filed by Edward Tobinick. Replies due by 6/20/2018. (O'Brien, Cullin) (Entered: 06/13/2018)
06/19/2018	384	PAPERLESS ORDER regarding 381 Defendants' Motion to Distribute Supersedeas Bonds and [382 Plaintiffs' Motion Regarding Disbursement of the \$285,763.23 Bond [Dkt. Nos. 337-338] Posted to Satisfy the \$259,784.75 Judgment [Dkt. No. 334]. Both parties shall file Notices explaining the amount of interest to which they believe Defendants are entitled and how they calculated the amount of interest. Defendants shall also in the same Notice provide any authority on which they rely for their contention that the Court could retain the residual amount of the bond as security for the award of

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		appellate attorneys' fees. These Notices are due by 6/26/18. Signed by Judge Robin L. Rosenberg on 6/19/2018. (ege) (Entered: 06/19/2018)
06/19/2018	385	NOTICE by Edward Tobinick re 384 Order,, <i>PLAINTIFFS NOTICE EXPLAINING PROPOSED INTEREST CALCULATION</i> (O'Brien, Cullin) (Entered: 06/19/2018)
06/20/2018	386	NOTICE by Steven Novella re 384 Order,, <i>Notice Regarding Interest Calculation and Court's Retention of Residual Bond</i> (Randazza, Marc) (Entered: 06/20/2018)
06/26/2018	387	PAPERLESS ORDER granting in part and denying in part 381 Defendants' Motion to Distribute Supersedeas Bonds and granting in part and denying in part 382 Plaintiffs' Motion Regarding Disbursement of the \$285,763.23 Bond Posted to Satisfy the \$259,784.75 Judgment. It is hereby ORDERED AND ADJUDGED THAT \$262,557.56 shall be distribute to Defendant Novella and \$23,205.67 shall be distributed to Plaintiffs. Signed by Judge Robin L. Rosenberg on 6/26/2018. (ege) (Entered: 06/26/2018)
06/26/2018	388	NOTICE of Change of Address by Marc John Randazza (Randazza, Marc) (Entered: 06/26/2018)
06/26/2018	389	CLERK'S NOTICE - Attorney Admissions has updated address and/or email information for attorney(s) Jay Marshall Wolman re 388 Notice of Change of Address. (cco) (Entered: 06/26/2018)
06/27/2018	390	ORDER granting in part and denying in part 381 Motion for Disbursement of Funds ; granting in part and denying in part 382 PLAINTIFFS MOTION REGARDING DISBURSEMENT OF THE \$285,763.23 BOND [DKT. NOS. 337-338] POSTED TO SATISFY THE \$259,784.75 JUDGMENT [DKT. NO. 334] re 381 MOTION for Disbursement of Funds - Motion to Distribute Supersedeas Bonds, 337 Clerks Receipt, 380 USCA Mandate, 343 Order on Motion for Miscellaneous Relief, 338 Clerks Receipt. Signed by Judge Robin L. Rosenberg on 6/26/2018. (ail) (Entered: 06/27/2018)
06/27/2018	391	ORDER of USCA. On its own motion, this Court TRANSFERS Appellee's "Application for Attorney's Fees and Expenses" to the District Court for its consideration of the issues of both entitlement and the fee amount, if any re 375 Notice of Appeal, filed by Edward Tobinick. USCA #18-10175-FF. (apz) (Entered: 06/27/2018)
06/27/2018	392	MOTION for Attorney Fees. (SEE DE 391 FOR IMAGE). (Per DE 391 USCA Order transferring Motion for Attorney's Fees - record received). Motion found at page no. 4. Response/opposition found at page no. 88. Reply found at page no. 101. Responses due by 7/11/2018 (apz) (Entered: 06/27/2018)

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06/29/2018	393	PAPERLESS ORDER referring 392 Motion for Attorney Fees to Judge Bruce E. Reinhart for appropriate disposition. Signed by Judge Robin L. Rosenberg on 6/29/2018. (ege) (Entered: 06/29/2018)
07/09/2018	394	NOTICE by Steven Novella re 392 MOTION for Attorney Fees, 391 USCA Order, 393 Order Referring Motion / <i>Notice of Completion of Briefing</i> (Randazza, Marc) (Entered: 07/09/2018)
07/12/2018	395	ORDER of USCA. On its own motion, this Court TRANSFERS Appellee's "Application for Attorney's Fees and Expenses" to the District Court for its consideration of the issues of both entitlement and the fee amount, if any re 335 Notice of Appeal, filed by Edward Tobinick. USCA #16-16210-AA. (apz) (Entered: 07/13/2018)
07/12/2018	396	MOTION for Attorney Fees. (SEE DE 395 FOR IMAGE). (Per DE 395 USCA Order transferring Application for Attorney's Fees and Expenses to District Court - Record Received). Motion found at page no. 4. Response/Opposition found at page no. 202. Reply found at page no. 214. Responses due by 7/26/2018 (apz) (Entered: 07/13/2018)
07/13/2018	397	PAPERLESS ORDER referring 396 Motion for Attorney Fees to Judge Bruce E. Reinhart for appropriate disposition. Signed by Judge Robin L. Rosenberg on 7/13/2018. (ege) (Entered: 07/13/2018)
07/29/2018	398	Notice of Supplemental Authority re 392 MOTION for Attorney Fees, 391 USCA Order, 393 Order Referring Motion, 395 USCA Order, 397 Order Referring Motion, 396 MOTION for Attorney Fees, 394 Notice (Other) by Edward Lewis Tobinick, MD (Attachments: # 1 Exhibit) (O'Brien, Cullin) (Entered: 07/29/2018)
10/11/2018	399	Notice of Supplemental Authority re 391 USCA Order, 393 Order Referring Motion, 398 Notice of Supplemental Authority, 395 USCA Order, 397 Order Referring Motion, 396 MOTION for Attorney Fees, 394 Notice (Other) by Edward Tobinick (Attachments: # 1 Exhibit) (O'Brien, Cullin) (Entered: 10/11/2018)
10/23/2018	400	RESPONSE to 399 Notice of Supplemental Authority, by Steven Novella. (Randazza, Marc) (Entered: 10/23/2018)
11/20/2018	401	REPORT AND RECOMMENDATION ON DEFENDANT DR. NOVELLAS APPLICATIONS FOR APPELLATE ATTORNEYS FEES (DE 392, 396). Objections to R&R due by 12/4/2018. Signed by Magistrate Judge Bruce E. Reinhart on 11/19/2018. <i>See attached document for full details.</i> (lbc) (Entered: 11/20/2018)
12/03/2018	402	OBJECTIONS to 401 Report and Recommendations by Edward Tobinick. (Attachments: # 1 Exhibit Exhibit 1 - The Eleventh Circuit

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		May 7, 2018 Denial of Plaintiffs Petition for Rehearing, # 2 Exhibit Exhibit 2 - In re: Marc J. Randazza, No. 18-mc-91490, [Dkt. No. 1] (D. Mass. Oct. 29, 2018), # 3 Exhibit Exhibit 3 - In re: Marc J. Randazza, No. 18-mc-91490, [Dkt. No. 5] (D. Mass. Nov. 19, 2018), # 4 Exhibit Exhibit 4 - Gersh v. Anglin, No. 17-cv-50, [Dkt. No. 118] (D. Montana Nov. 19, 2018), # 5 Exhibit Exhibit 5 - In re Marc John Randazza, No. 15-14956-abl, 295 (D. Nev. Bkr. Oct. 30, 2018), # 6 Exhibit Exhibit 6 - Gersh v. Anglin, No. 17-cv-50, [Dkt. No. 119-1] (D. Montana Nov. 20, 2018), # 7 Exhibit Exhibit 7 - Novellas January 30, 2017 Filing in the 11th Circuit, # 8 Exhibit Exhibit 8 - Novellas August 29, 2017 Motion in the 11th Circuit, # 9 Exhibit Exhibit 9 - 11th Circuits Order Staying Briefing in Appeal Number 18-10175) (O'Brien, Cullin) (Entered: 12/03/2018)
12/06/2018	403	ORDER granting in part and denying in part 392 Motion for Attorney Fees, granting in part and denying in part 396 Motion for Attorney Fees, and adopting 401 Report and Recommendations. Signed by Judge Robin L. Rosenberg on 12/6/2018. <i>See attached document for full details.</i> (bkd) (Entered: 12/06/2018)

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